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OF THE

Extraordinary Session

OF THE

Fifteenth Legislative Assembly

OF THE

STATE OF MONTANA

Held at Helena, the Seat of Government of said State, commencing
February 14, 1918 and ending February 25, 1918

PUBLISHED BY AUTHORITY



STATE PUBLISHING CO., HELENA, MONT

HOUSE JOURNAL

OF THE

Extraordinary Session

OF THE

Fifteenth Legislative Assembly

OF THE

STATE OF MONTANA

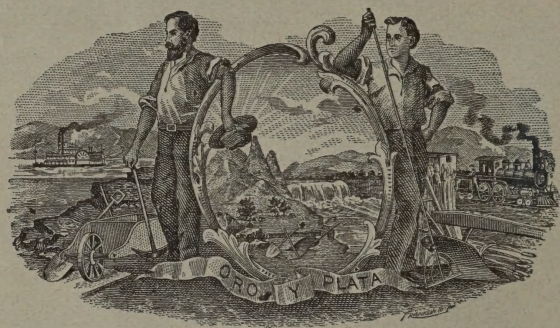
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1918



OFFICERS AND MEMBERS

OF THE

15th Legislative Assembly of the State of Montana

Governor, S. V. STEWART
 Lieutenant Governor and President of the Senate, W. W. McDOWELL
 Speaker of the House, JAS. F. O'CONNOR

HOUSE OF REPRESENTATIVES

Name	Politics	County	Residence
Andersen, Chas.	Dem.	Fergus	Lewistown
Anderson, Oscar W.	Rep.	Fergus	Lewistown
Andrew, John T.	Dem.	Silver Bow	Butte
Arneson, Anthony H.	Rep.	Sweet Grass	Big Timber
Ashby, Jr., Shirley C.	Dem.	Lewis & Clark	Helena
Baldwin, Clement J.	Rep.	Carbon	Bridger
Ball, Leonard	Dem.	Silver Bow	Butte
Baxter, E. C.	Rep.	Meagher	Harlowton
Belden, O. W.	Rep.	Fergus	Lewistown
Bent, Wallace A.	Dem.	Carbon	Bowler
Bernard, P. N.	Rep.	Flathead	Kalispell
Blake, Harold N.	Rep.	Deer Lodge	Anaconda
Blodgett, F. E.	Dem.	Silver Bow	Butte
Booth, George T.	Rep.	Cascade	Great Falls
Brooks, Joseph	Rep.	Park	Livingston
Buell, Henry M.	Rep.	Missoula	Missoula
Buell, Hiram S.	Rep.	Gallatin	Bozeman
Buchanan, Sr., Frank	Rep.	Yellowstone	Hesper
Burnworth, Clifton H.	Rep.	Rosebud	Forsyth
Carll, Frank	Dem.	Yellowstone	Billings
Clark, S. W.	Dem.	Chouteau	Geraldine
Connolly, James J.	Dem.	Silver Bow	Butte
Cotter, Charles P.	Rep.	Broadwater	Townsend
Crismas, William J.	Dem.	Carbon	Joliet
Crowley, Tim	Dem.	Silver Bow	Butte
Davis, Clarence C.	Dem.	Teton	Conrad
Deibel, Randolph	Dem.	Custer	Miles City
Demel, C. W.	Dem.	Yellowstone	Billings
Dodds, Percy F.	Rep.	Flathead	Whitefish
Duffy, Joe H.	Dem.	Silver Bow	Butte
Eaton, Ernest T.	Rep.	Yellowstone	Billings
Eliel, Frank	Rep.	Beaverhead	Dillon
Farmer, Frank W.	Dem.	Cascade	Great Falls
Fishbaugh, L. M.	Dem.	Chouteau	Carter
*Flanigan, Jerry H.	Dem.	Silver Bow	Butte
Fuller, Newman H.	Rep.	Custer	Miles City
Gould, M. S.	Dem.	Madison	Twin Bridges
Griffin, James	Rep.	Blaine	Chinook
Grimes, Thomas W.	Dem.	Silver Bow	Butte
Gullidge, A. O.	Rep.	Prairie	Terry
Harbert, James	Rep.	Flathead	Polson
Harmon, W. E.	Rep.	Gallatin	Bozeman
Hathaway, Maggie Smith	Dem.	Ravalli	Stevensville
Hawks, James A.	Dem.	Wibau	Wibaux
Henderson, W. C.	Rep.	Dawson	Jordan
Henry, V. R.	Rep.	Chouteau	Geraldine
Higgins, Ronald	Rep.	Missoula	Missoula
Holt, Clifford F.	Rep.	Cascade	Great Falls
Huffaker, George W.	Rep.	Lewis & Clark	Helena
Hurd, Walter L.	Dem.	Stillwater	Columbus
Husser, Arthur A.	Dem.	Hill	Hingham
Ingalls, Mrs. Emma A.	Rep.	Flathead	Kalispell
Ironside, Fred A.	Dem.	Silver Bow	Butte
Jensen, Steuard R.	Dem.	Cascade	Great Falls
Johnson, Edw. C.	Rep.	Deer Lodge	Anaconda
Johnston, W. B.	Rep.	Ravalli	Hamilton
Jones, Dudley	Rep.	Phillips	Dodson
Kehoe, Thos. M.	Dem.	Yellowstone	Billings
Kelsey, Frank T.	Rep.	Custer	Moorehead
Kemmis, Walter D.	Rep.	Richland	Sidney
Lanstrum, George W.	Rep.	Lewis & Clark	Helena
Larse, George W.	Dem.	Sanders	Plains
Lemmon, C. A.	Dem.	Deer Lodge	Anaconda
Lewis, V. E.	Rep.	Chouteau	Fort Benton
Lusk, Addison K.	Rep.	Missoula	Missoula
McClory, John S.	Rep.	Toole	Shelby
McDonald, Charles S.	Rep.	Teton	Choteau
McMahon, W. J.	Dem.	Silver Bow	Butte
McMillan, R. O.	Rep.	Sheridan	Bainville

HOUSE OF REPRESENTATIVES—Continued.

Name	Politics	County	Residence
McQuarrie, Daniel L.	Rep.	Missoula	Missoula
Mason, Dwight N.	Dem.	Missoula	Ronan
Middleton, John R.	Rep.	Rosebud	Hysham
Morris, Richard E.	Dem.	Fallon	Baker
Morrow, J. A.	Dem.	Musselshell	Rygate
Murray, Frank C.	Dem.	Cascade	Great Falls
O'Brien, John	Dem.	Silver Bow	Butte
O'Connor, Jas F.	Dem.	Park	Livingston
Page, John R.	Dem.	Granite	Drummond
Phelps, E. T.	Rep.	Valley	Baylor
Prosser, Martin	Dem.	Lewis & Clark	Helena
Quaintance, Cary	Rep.	Jefferson	Boulder
Rainey, John	Dem.	Dawson	Lindsay
Rasmussen, C. A.	Rep.	Dawson	Glendive
Sand, A. U.	Dem.	Valley	Opheim
Scott, William J.	Rep.	Big Horn	Hardin
Searles, Chas. A.	Dem.	Mineral	Alberton
Sektnan, M.	Dem.	Valley	Glasgow
Shaw, John A.	Dem.	Powell	Deer Lodge
Stimpert, Adam	Dem.	Gallatin	Belgrade
Spain, William Whitfield	Dem.	Cascade	Great Falls
Ward, John M.	Dem.	Silver Bow	Butte
Weil, Charles A.	Dem.	Lincoln	Eureka
Wheat, Gilbert G.	Dem.	Madison	Virginia City
White, B. C.	Dem.	Fergus	Buffalo
Working, Lincoln	Rep.	Lewis & Clark	Helena

*Died February 2, 1917.

C. H. TREACY, Chief Clerk.

William Cutts, Dem. of Butte, Silver Bow County, appointed by the Governor to fill the vacancy.

STATE SENATORS

Name	Politics	County	Residence
*Annin, J. B.	Rep.	Stillwater	Columbus
Arnold, George O.	Dem.	Gallatin	Manhattan
*Brower, A. J.	Rep.	Missoula	Ronan
Burla, Gwen F.	Dem.	Big Horn	Hardin
*Burlingame, J. M.	Rep.	Cascade	Great Falls
*Clark, T. L.	Dem.	Toole	Sweet Grass
Clay, Geo. W.	Rep.	Phillips	Malta
*Dwight, Reuben	Rep.	Sanders	Perma
*Edwards, J. E.	Rep.	Rosebud	Forsyth
Ellingson, Henry	Rep.	Sweet Grass	Big Timber
Featherly, George P.	Rep.	Beaverhead	Dillon
*Fishbeck, F. G.	Rep.	Sheridan	Plentywood
*Gallwey, Harry A.	Dem.	Silver Bow	Butte
Gnose, J. B.	Rep.	Deer Lodge	Anaconda
Haley, W. S.	Rep.	Prairie	Terry
Healy, Daniel	Dem.	Park	Livingston
Heren, Rolla P.	Rep.	Custer	Miles City
*Hogan, T. S.	Dem.	Yellowstone	Billings
Hurd, W. W.	Dem.	Valley	Glasgow
Jones, William E.	Rep.	Meagher	Harlowton
*Junod, O. H.	Rep.	Madison	Sheridan
*Kane, Thos.	Rep.	Ravalli	Corvallis
*Kinney, J. C.	Rep.	Wibaux	Wibaux
*Lane, J. E.	Dem.	Fergus	Lewistown
*Larson, T. O.	Rep.	Teton	Choteau
McCone, George	Rep.	Dawson	Glendive
*Meadors, J. P.	Rep.	Richland	Riverview
Mershon, N. J.	Rep.	Granite	Phillipsburg
Morris, Claude F.	Dem.	Hill	Havre
*Muffy, C. S.	Dem.	Broadwater	Winston
*Oliver, John	Rep.	Fallon	Ekalaka
O'Shea, Daniel G.	Dem.	Carbon	Red Lodge
*Parker, M. H.	Dem.	Jefferson	Lavina
*Roberts, C. B.	Rep.	Lincoln	Boulder
Slayton, Daniel W.	Rep.	Musselshell	Fortine
Smith, Park	Rep.	Lewis & Clark	Helena
*Stevens, Geo. H.	Rep.	Chouteau	Fort Benton
Taylor, L. B.	Rep.	Blaine	Lloyd
*Whiteside, Fred	Dem.	Flathead	Kalispell
*Willett, O. G.	Rep.	Mineral	Alberton
Williams, Charles H.	Rep.	Powell	Deer Lodge

*Holdovers. Elected in 1914.

J. FRANK CONE, Secretary.

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HOUSE JOURNAL
OF THE
FIRST EXTRAORDINARY SESSION
OF THE
FIFTEENTH LEGISLATIVE ASSEMBLY
OF THE
STATE OF MONTANA

FIRST DAY

State Capitol, Helena, Mont., Thursday, Feb. 14th, 1918.

Pursuant to the proclamation of His Excellency, Governor S. V. Stewart, the House Assembly of the Fifteenth Legislative Assembly met in Extraordinary Session at 12 o'clock M.

Mr. Speaker in the Chair.

Roll call. Quorum present.

Prayer by Chaplain C. H. Frady.

The Governor's proclamation read:

BY THE GOVERNOR OF THE STATE OF MONTANA, A PROCLAMATION:

It appearing to the Governor of the State of Montana, that the laws of said State are inadequate, insufficient and lacking in the following particulars, to-wit:

That the Seed Grain Law now on the statute books, designed to provide sufficient seed and feed for needy farmers cannot be made to serve the purpose for which it was enacted. This law should be amended so as to authorize counties to vote bonds and incur indebtedness for the purpose of supplying feed and seed to those entitled to the same.

That our soldiers and sailors are not now given proper immunity consistent with existing conditions and the public service they are rendering. They should be protected against loss by lawsuits and statutes of limitation during the time of service and for a reasonable time thereafter.

That the State Council of Defense, so called, now existing without legal authority, should be given a legal existence. Not only should the State Council of Defense have a legal status but financial provision should be made for the conduct of its work.

That Home Guard organizations within the State of Montana have been organized and are in existence without legal warrant of law. That organizations should be given legal authority and their rights and functions should be defined.

That our State statutes do not contain adequate provision for the punishment of those guilty of sedition, treasonable and disloyal acts and utterances within the State of Montana. Some suitable statute should be enacted to cover the same. Otherwise the people of the different communities of the State of Montana may be provoked into becoming a law unto themselves and as a result unwarranted and illegal violence may occur.

That there is no law to curb the pernicious activities of individuals and organizations guilty of sabotage, criminal syndicalism and industrial and political anarchy. At this critical time it is important that the people have protection from such dangerous activities.

That the Absent Voter law is not broad enough in its scope to admit of soldiers and sailors voting at elections while absent from the United States in the service of our country. This is a matter that should be remedied.

That since the adjournment of the last session of the Legislative Assembly the Congress of the United States has submitted to the several State Legislatures for ratification what is known as the National Prohibition Amendment. The Legislative Assembly should act upon the amendment as a war measure.

NOW, THEREFORE, I, S. V. Stewart, as Governor of the State of Montana, under and by virtue of the authority vested in me by the Constitution and Statutes, do hereby convene the Fifteenth Legislative Assembly in Extraordinary Session at the City of Helena, the capitol of the said State of Montana, at the hour of twelve o'clock noon on

THURSDAY, THE FOURTEENTH DAY OF FEBRUARY, A. D. 1918, for the purpose of considering and if found necessary, for the enactment of laws on the following subjects, to-wit:

First. To provide the amendment of the existing Seed Grain Law or the enactment of a new law, so as to admit of bonding counties in order to furnish seed grain and feed for needy farmers.

Second. To provide a moratorium for soldiers and sailors and to protect them from loss by legal proceedings and statutes of limitation.

Third. To legalize the existence of and to provide for the maintenance of a State Council of Defense.

Fourth. To provide for the legal organization and maintenance of House Guard companies.

Fifth. To define seditious, treasonable and disloyal utterances and acts and to provide punishment therefor.

Sixth. To define sabotage, criminal syndicalism, and industrial and political anarchy and to provide a punishment for those found guilty thereof.

Seventh. To provide a legal method whereby our soldiers and sailors may be enabled to vote at elections.

Eighth. To vote upon the question of the ratification of the amendment to the Federal Constitution relative to national prohibition.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State to be affixed.

(SEAL.)

DONE at the city of Helena, the Capital, this fourth day of February, in the year of our Lord one thousand nine hundred eighteen and of the independence of the United States of America the one hundred forty-second.

By the Governor:

S. V. STEWART.

C. T. STEWART, Secretary of State.

McMahon: I move that the House now proceed to order of Business No. 6. Motions and Resolutions. Motion carried.

A committee from the Senate reported that the Senate was organized and ready for business.

McMahon: For the purpose of expediting the business of the House I move that instead of requiring the presentation of election certificates, those who have answered roll call be regularly accepted as members of this House, and that the officers and attaches of the regular session of the Fifteenth Legislative Assembly in so far as they are present and available shall be the officers and attaches of this Session and that they be instructed to avail themselves of such clerical help as may be offered. Motion carried.

On motion of Mason the Speaker appointed the following Committee to notify the Senate that the House was organized and ready for business: Lanstrum, Hathaway and Rainey.

Upon motion of Lemmon the Speaker appointed the following Committee to notify the Governor that the House was organized and ready for business: Kehoe, Ingalls, and Eliel.

Lanstrum of the Committee appointed to notify the Senate that the House

was organized and ready for business reported back to the House that the Senate had been notified.

McMahon of the Committee on rules offered the following report:

Mr. Speaker: Your Committee on Rules respectfully submit the following:

That the rules as adopted by the Fifteenth Legislative Assembly shall be the rules governing this Special Session with the following amendments and as amended I move that same be adopted:

First. "That ten minutes shall be allowed each speaker on any subject."

Second. "Amend Rule No. 8 by striking out the numbers and committees named from one to forty-five, both inclusive, excepting No. 11, 12, and 35, being the Committee upon Engrossment, Enrollment, and Printing, and inserting in lieu thereof the following committees numbering from one to four and designated as follows: No. 1, 2, 3, and 4, and amend said rule on No. 8 by striking out therefrom paragraph No. 1 thereof, which deals with the method of appointment of the committees and inserting in lieu thereof the following:

For the selection of four standing committees the Clerk of the House shall prepare slips of paper numbering as many as there are members of the House. Upon one-fourth of the slips he shall write the number 1 and upon one-fourth of the slips he shall write the number 2, and upon one-fourth he shall write the number 3 and upon the remainder he shall write the number 4. He shall then place in the hat as many slips as there are members of the Majority Party present and in another hat he shall place as many slips as there are members of the Minority Party present. Upon one-fourth of these slips there shall appear the number 1 and upon one-fourth there shall appear the number 2 and upon one-fourth there shall appear the number 3 and upon the remainder there shall appear the number 4. He shall then pass to the majority and minority members respectively the hat containing the slips and each member draw therefrom one slip and the number written upon the same shall be the Committee upon which the member shall serve.

Each Committee at the first meeting, which meeting shall be held immediately upon recess being taken by the House, shall by ballot select the Chairman thereof.

All Special and Joint Committees shall be appointed by the Speaker of the House.

(Signed) McMAHON,
MASON.

McMahon moved the adoption of the report.

Davis: I move as a substitute motion, that the report of the Committee be amended so that the time will be unlimited for a member to speak upon any one measure.

Blodgett: I move as an amendment to the amendment that debate be limited to twenty minutes upon any one measure.

Gould: As a substitute motion for all pending motions I move that the report of the Committee be deferred until 10 o'clock tomorrow morning. Motion lost.

Page: I move that the report of the Printing Committee be printed. Motion lost.

Lanstrum: I move that that proportion of the Committee on Rules limiting the time of debate be stricken from the report. Motion carried, and report of the Committee was adopted.

Cotter: I move that the House do now recess until 2 o'clock this afternoon. Motion carried.

HOUSE RESUMED.

Mr. Speaker in the Chair.

A Committee of the Senate notified the House that they were ready to meet in Joint Session to receive the Governor's message.

Mr. Speaker appointed the following committee to notify the Senate that the House would receive them in Joint Session: Lanstrum, Carroll and Morris. Committee reports having performed its duty.

The Senate being in waiting was admitted.

The President of the Senate took the chair and ordered the Secretary of the Senate to call the roll of the Senate. A quorum was found present.

The Chief Clerk called the roll of the House and found a quorum present.

JOINT SESSION.

On motion of Whiteside the following Committee was appointed to notify His Excellency the Governor that the House and Senate were in Joint Session and awaited his pleasure: McMahon, Eliel and Larsen.

His Excellency the Governor appeared at the bar of the House, was escorted to the platform, introduced to the Assembly, whereupon he proceeded to deliver the following message to the Joint Assembly:

Ladies and Gentlemen of the Fifteenth Legislative Assembly in Extraordinary Session Assembled:

The regular session of your honorable body adjourned on the first day of March of last year. At that time there was raging, as there has been for more than two years theretofore, a frightful and devastating war in Europe. While there was always grave danger of the United States being involved therein, yet there was nothing in the situation as it existed at the time of your adjournment to warrant the belief that our own country would soon be called upon to participate as an actual combatant. It was but natural, therefore, that you did not consider matters of State or of National defense.

Hardly had the members left the Capitol and assumed their regular civic duties when it was brought home to us that the Nation was to be forced into the terrible conflict. When war was declared our people responded to every call of the general government with a promptness that evidenced the spirit of patriotic devotion which has ever impelled and inspired the men and women of the great west. They have left not one thing undone that good citizenship suggested or that loyalty to the country or to the cause of liberty and justice dictated.

Therefore I come to you speaking for the state and the people and say to you that Montana men and Montana women, and the State of Montana herself, have done everything that it has been possible to accomplish under the circumstances in co-operation with and in support of the government. The thing which they have accomplished have written a fair record of the credit of our people. But the people will not be and cannot be satisfied with any thing less than a full measure of service and of substantial contribution to the cause of the Nation.

It has become evident to all that the full capacity of our State and its wonderful resources cannot be co-ordinated with the patriotic desire, the enthusiastic impulse to serve that everywhere animates the citizenship without some new laws, some new working rules, some new plans and specifications to which they may work with more accurate and positive purpose, and with a better understanding of the mode of procedure to be adopted. This is no time for division of purpose. There must be no lost motion and neither contention nor duplication of effort. Every resource of the State should be made to yield its full product, and with the least possible expenditure of man power and expense; and every individual should realize that his or her efforts must be exerted in conjunction, in full accord, and in complete harmony with the efforts of every other individual in the State.

SEED GRAIN AND FEED.

Some of the newer farmers must have assistance to secure seed and feed, else some of the fertile acres of the State may lie untilled and unproductive. Our brave boys are prepared to make the great fight for us at the front, but they cannot do credit to themselves or bring victory to our cause without bread and sustain them. Montana has the acres and the soil and, given the means of planting a crop and seasonable conditions, our contribution to the food supply of the world must mean much to the cause of the Allies. The old "Seed Grain Law" is not adequate, and under its restrictive terms and conditions but little help may be expected.

Other things to be called to your attention are important, but the one thing that really dictated this call for a special session is the necessity for amendment to the "Seed Grain Law." I sincerely hope that you may be able to draft a law that will admit of the needy farmers getting not only seed but feed from the various counties of their residence, and that will invest the counties with authority to incur sufficient indebtedness to meet the emergency of the occasion in that respect. The Supreme Court has constructed the present

law so as to give you a clear understanding of the possibilities and scope of legislation on the subject.

MORATORIUM AND STATUTE OF LIMITATIONS.

The system of raising an army adopted by and now in full force in the United States is the most equitable and the fairest, as well as the most efficient, system that has ever been devised. It has called men from the bank, the store, the smelter, the mine, the office, and the farm. It has not been a respecter of persons, but rather of conditions. Consideration has been given to dependent members of families and to the necessity for continued production in the country. The man of means and the wage earner have gone to the cantonments side by side. It is but proper that these men should be invested with as much immunity as may be consistent with the circumstances of the times and the great sacrifice which they must of necessity make in the cause of the people. To suspend the operation of statutes of limitation against them during their time of service and for a reasonable time after discharge, and to impose a moratorium in their behalf would seem to be but proper and just. I would urgently recommend that such action be taken as may seem to be reasonable, equitable and fair under the circumstances.

STATE COUNCIL OF DEFENSE.

The National government has seen fit to constitute and maintain a Council of National Defense, and has asked that the States organize such bodies for co-operation along defense lines. As Governor of the State, I appointed a State Council of Defense, but it has no legal existence and no real authority for either its existence or its acts. Nevertheless, the State Council of Defense has been active and has rendered very substantial and important service.

In order to carry on the activities suggested by the National Government and inaugurated by the State Council of Defense, State money was utilized from some of the various departmental funds. The Agricultural College fund, the Farmers' Institute Fund, the Agricultural Extension Service Fund, and the Department of Agriculture and Publicity Fund were all invaded. I would not only recommend that the State Council of Defense be made a legal entity and clothed with legal authority, but I recommend in addition to this, that an appropriation be made to make good the amounts used from the various funds mentioned as well as to enable the State Council of Defense to conduct future activities. If this is not done the various departments from which funds have been taken will be circumscribed and restricted in their work for the present year.

HOME GUARD.

Ever since danger threatened the country from without there has been fear of disturbance within. Many communities have organized Home Guard companies, and the National Congress has provided a degree of recognition to such organizations. It is very evident that Home Guard companies will be maintained in this State either with or without law enacted by the State on the subject. If they remain in existence under present circumstances they are without either legal authority or legal rights, save and except the general privileges and immunities enjoyed by and the duties imposed upon the individual members as citizens of the State and of the Nation. They may perform, and in some instances have performed, important civic duties, but there is the danger that always comes from lack of clearly defined legal purpose. There is no community legal responsibility. The Home Guard company is merely an aggregation of citizens banded together for the general good, and as such they constitute themselves the sole judges of the rights and power of the organization.

It is easy to see that the splendid purpose of defending the community in its right of property and personal peace may be readily converted by excess and intolerance into a means of positive menace to the safety of individuals and neighborhoods. I would recommend that Home Guard Companies be given legal status and their rights, authority, and the scope of their activity be defined and that the organizations and the members thereof be made responsible officers of the State with a corresponding obligation as such.

SEDITION AND TREASON.

While we all realize that primarily it is the duty of the general government to protect the people against seditious, treasonable and disloyal acts and utterances, nevertheless it is apparent that the State should have statutes on the subject so that there may be no failure of punishment and repression. Acts of such a character are intended to hinder, delay and defeat the very purpose for which we are giving our best efforts, contributing our material means and sacrificing our own flesh and blood. The great war must and will continue until our enemies are whipped. Nations are like men—they are not conquered until a full realization of their defeat is forced upon them. Just so long as our enemies feel that there is a possibility of America weakening, of her being turned aside from her very great purpose by internal dissension, lack of unity or division of sentiment, there is hope for the antagonist.

Germany and the Central Powers must be made to understand that America is in this war to win, no matter what may be the sacrifice of treasure and of blood. When that fact is borne in upon the Germans the beginning of the end will have come; but it can never come while we have men and women abroad in the land, vipers circulating the propaganda of the junkers; it can never come while we have traitors in our midst creating material for propaganda. The spy system of Germany reaches its poisoned tentacles into every part of the world. Our own country is not free from it. By such means it is not only sought to poison and paralyze the enemies of Germany, but every disloyal utterance and every treasonable act is duly reported in exaggerated form to the German people in order to impress them with the fact that America is not united and will either quit or fail.

For nearly every household a boy has gone forth to do his part in the struggle. The fond parents sit at home in the eventide and long for the safe return of the loved one. What privations, what hardships and what sacrifices are they making from day to day for the comfort and efficiency of the soldier lad away out across there in the trenches! The tender mother is startled by the mere suggestion that the boy may not come back, and the father clenches his fists at the very suspicion that any of his own acquaintances might conspire to encompass the destruction of his son and heir.

And yet in many communities there are people, mayhap neighbors of the fond parents just described, who either purposely or without thought, but nevertheless wickedly, give voice to sentiments which, carried to the German soldiers in distorted form will cause some certain company or unit to make just one more stand for the kaiser and autocracy. In that one more last stand, who knows but that your boy may fall a victim to German barbarity, to German "efficiency"? Who knows but that the same mother, wakened from her troubled sleep by some occult influence wafted clear across the ocean by a medium unseen, unheard and little understood, may in reality be recoiling from the terrible pain of the smothering gas, or the sharp point of a bayonet, directed at her boy, her own flesh and blood, by the relentless barbarians, spurred on, strengthened and emboldened to make just one more stand by the stories that America is disunited, that the timber of her manhood has decayed, that the luster of her womanhood is tarnished.

And so I say to you that if you would do something for the efficiency of America's efforts, if you would rouse the spirits, cheer the hearts and make strong the good right arm of America's offensive and defensive, if you would bring discouragement to her enemies; in other words, if you would hasten the close of the war and impress upon every Nation and every people in the world that America has cast her all in the balance, united and harmonious in her determination to bring victory to her cause, enact a law here in Montana that will make available a mighty means of throttling the traitor and choking the traitor. Fix it so that no longer may the enemy spies or the peddlers of sedition and slander go free in Montana, to insult the patriotism and offend the loyalty of our citizens at home or send cheer to the enemy abroad. The free air of Montana is too pure, too sacred, and too precious, the traitorous and the treasonable to breathe forth sentiments of disloyalty against our cause and to extend comfort to the enemies of the country.

While we are anxious to see just and adequate punishment visited upon the

guilty, care should be taken that no machine be created for the oppression of the innocent. The law should be plain and unequivocal, but should be so drawn that its provisions cannot be misapplied or its operation turned aside to the accomplishment of an unworthy purpose.

SABOTAGE.

Some individuals and a few organizations have indulged in what is known as sabotage, criminal syndicalism and industrial and political anarchy in the different parts of the United States. Montana is no worse off in this respect than any of the other States; but, while other States have provided for the punishment of those who are guilty of the crime, just mentioned, our State unfortunately has no special statute under which such activities may be held in check and punished.

The industries of the State must continue. When crops are raised they should be harvested without let or hindrance from those who are criminally inclined. To burn a threshing machine or an elevator, to destroy a crop, or to halt the process of an industry at this time should and does warrant severe punishment at the hands of the State. Our people are not in a mood to palliate such things or condone them. If a State law is not devised and enacted by this Legislative Assembly it is not at all unlikely that such acts of violence and destruction may cause the people of the State to take the law into their own hands and visit upon those who are so charged most drastic punishment, and that without the fair and impartial trial guaranteed by our Constitution. It would indeed be unfortunate to contemplate such a condition.

In view of the existing conditions and of the possible results that may accrue, I most earnestly urge upon you the necessity of legislative enactment to cover sabotage, criminal syndicalism and industrial and political anarchy.

ABSENT VOTER LAW.

It is very evident that Montana's citizen soldiers absent from the country in the service of the Nation will not be able to vote at elections unless the Absent Voter Law is enlarged in its terms and made more comprehensive. The men who are fighting our battles abroad are just as much citizens as they ever were, and they should not be deprived of their votes because, perchance, the people of the State and Nation have selected them to go to other countries and other lands to fight the Nation's battles. I therefore respectfully urge upon you the necessity for amendment of the Absent Voter Law.

PROHIBITION AMENDMENT.

Since your adjournment the Congress of the United States has submitted to the Legislatures of the several states, for ratification, what is known as the National Prohibition Amendment. The amendment is submitted to you for appropriate action.

FIREARMS.

Along the line of defense, I would respectfully suggest to you that a law should be enacted providing for the registration of dealers and purveyors of firearms and ammunition within the State of Montana. The law should provide that all merchants and other dealers, before engaging in the sale of firearms, shall register with some suitably designated official, and that thereafter the dealer shall and must keep a record of all sales of firearms and ammunition for the inspection and information of the public officials, especially peace officers.

COUNTY BANKS.

Some of the counties of the State have issued bonds without taking the necessary and proper legal steps required by law. The legal department of the State has advised me that these bonds may be validated by the passage of a curative act. I respectfully recommend that the Legislative Assembly give attention to the matter of curing the legal defects as they exist in these county bonds.

MONTANA WHITEFISH.

The necessity for substitute food products is becoming more and more apparent. Under our present game laws the Montana whitefish or Rocky Mountain

whitefish is classed as a game fish and therefore cannot be sold on the market for food purposes. I recommend that white fish be removed from the classification as a game fish so it may be sold for food purposes within the State, during the pendency of the war at least.

FOREST FIRE PREVENTION.

Attention has just been directed to the fact that legislation should obtain to conserve the timber of the State and to reduce the cost of the prevention of forest fires.

In 1917 the damage to timber within the boundaries of the State amounted to \$312,575.00; the cost of extinguishing fires \$481,331.00. The total was \$793,906.00. It is estimated that twenty-five per cent of the loss was caused by brush burning. The danger period is between June 15 and September 15 of each year, leaving nine months of an open season which would seem to be ample time for the burning of brush.

It seems, therefore, that an emergency exists in this respect, and that a closed season against burning brush should be established by law.

Many other matters of importance could be submitted to you for appropriate consideration, but I appreciate the fact that this is an extraordinary session of the Legislative Assembly and that the members are not in a position to remain in session for a long period of time.

I have sought to submit to you only emergency measures. It is unnecessary for me to say to you that your session should be brief, and in order that it may be of short duration, I have limited the number of the subjects submitted for consideration.

Many patriotic offers have come from former employes and departmental clerks and stenographers at the Capitol to do the clerical part of the work as a patriotic service. I am sure that you will avail yourselves of these offers whenever it is consistent to do so and that your session will be characterized by promptness, efficiency and patriotic devotion to duty. If ever there was a time in the history of the State when partisanship, section antagonisms and personal ambition should be relegated to the rear this is the time. The people expect public servants to rise above all of those things and give the unselfish service which alone can redound to the benefit of the State and the Nation.

Upon motion of Senator Whiteside two thousand copies of the Governor's message were to be printed.

Upon motion of Senator Edwards the Joint Session adjourned.

The House resumed.

Mr. Speaker in the Chair.

The Speaker appointed Mrs. Hathaway and Mrs. Ingalls as a committee to pass the hat containing the numbered slips, as provided by motion of McMahon at the morning session to the different members.

The roll was called and the committees as indicated by the slips were as follows:

Committee No. 1: Lemmon, Chairman; Arneson, Ashby, Buell of Gallatin, Burnworth, Demel, Farmer, Harbert, Higgins, Holt, Huffaker, Hurd, Lanstrum, Larse, Lewis, Mason, Rainey, Scott, Sektnan, Spain, Weil, White.

Committee No. 2: McMahon, Chairman; Anderson (Charles), Andrew, Baldwin, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Duffy, Eaton, Gould, Griffin, Grimes, Gullidge, Ironside, Middleton, O'Brien, Page, Phelps.

Committee No. 3: Johnson of Deer Lodge, Chairman; Ball, Belden, Connolly, Cotter, Crismas, Crowley, Davis, Dodds, Fuller, Harmon, Henderson, Jones, Kelsey, McClory, McDonald, Morris, Morrow, Prosser, Stimpert, Ward.

Committee No. 4: Eliel, Chairman; Anderson (Oscar W.), Blodgett, Buchanan, Carll, Clark, Deibel, Fishbaugh, Hathaway, Hawks, Henry, Ingalls, Kehoe, Kemmis, McMillan, Quaintance, Rasmussen, Sand, Searles, Wheat.

Upon motion of McMahon the following committee of three appointed to act as Journal committee: Blodgett, Ingalls and Morris.

COMMUNICATIONS FROM THE GOVERNOR AND SENATE.

The following communications were received from His Excellency, the Governor:

Department of State, Washington, December 28th, 1917.

His Excellency, the Governor of the State of Montana, Helena.

Sir: I have the honor to enclose a certified copy of a Resolution of Congress, entitled "Joint Resolution proposing an amendment to the Constitution of the United States," with the request that you cause the same to be submitted to the Legislature of your State for such action as may be had, and that a certified copy of such action be communicated to the Secretary of State, as required by Section 205, Revised Statutes, of the United States. (See overleaf.)

An acknowledgment of the receipt of the communication is requested.

I have the honor to be, sir,

Your obedient servant,

ROBERT LANSING.

Sec. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorizing to promulgate the laws, with his certificate, specifying the states by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States,—Revised Statutes, 1878.

State of Montana, Executive Office, Helena, February 14, 1918.

To the Speaker of the House of Representatives, House Chamber, Helena, Montana.

I transmit herewith a certified copy of a Joint Resolution of Congress, together with a letter from the Secretary of State, relative to a "Joint Resolution proposing an amendment to the Constitution of the United States," commonly known as the Prohibition Amendment.

The documents are transmitted for action on the part of the Assembly.

(Signed) S. V. STEWART, Governor.

S. J. Res. 17

SIXTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA:
AT THE SECOND SESSION.

Begun and held at the City of Washington on Monday, the third day of December, one thousand nine hundred and seventeen.

JOINT RESOLUTION.

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the constitution be, and hereby is, proposed to the states, to become valid as a part of the constitution when ratified by the legislatures of the several states as provided by the Constitution:

"ARTICLE ———

"Section 1. After one year from the ratification of this article, the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory, subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"Section 2. The Congress and the Several States shall have concurrent power to enforce this article by appropriate legislation.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the constitution by legislatures of the several states, as provided in the constitution, within seven years from the date of the submission hereof to the states by Congress."

CHAMP CLARK,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

Vice President of the United States.

UNITED STATES OF AMERICA, DEPARTMENT OF STATE.

To All to Whom These Presents Shall Come, Greeting:

I certify that the copy hereto attached is a true copy of a resolution of Congress, entitled "Joint Resolution Proposing an amendment to the constitution of the United States," the original of which is on file in this department.

In testimony whereof, I, ROBERT LANSING, Secretary of State, have hereunto caused the Seal of the Department of State to be affixed and my name subscribed by the Chief Clerk of the said Department, at the City of Washington, this twenty-eighth day of December, 1917.

ROBERT LANSING,
Secretary of State.
By BEN C. DAVIS,
Chief Clerk.

President of the Senate: I certify that this Joint Resolution originated in the Senate.

JAMES M. BAKER, Secretary.

McMahon: I move that the Resolution just read be held until such time as the various committees are organized and same can be referred to a committee for consideration.

Eliel: I move that the House do not recess for 30 minutes for the purpose of organizing and selecting Chairmen for the various committees. Motion carried.

House resumes.

Mr. Speaker in the Chair.

Upon motion of Mason the House reverted to order of business No. 6. Motions and Resolutions.

On motion of Hathaway a committee of three were appointed to draft a resolution on the death of Honorable Member Frank Murray of Cascade County, being Hathaway, Cotter and Stimpert.

Mason was granted the unanimous consent of the House to introduce a House Joint Resolution without previous notice.

Upon a motion of McMahon the House reverted to Order of Business No. 5.

Stimpert was granted the unanimous consent of the House to introduce two Bills without previous notice.

Kemmis was granted the unanimous consent of the House to introduce a House Joint Resolution without previous notice.

Harbert was granted the unanimous consent of the House to introduce a House Joint Resolution without previous notice.

INTRODUCTION OF BILLS.

The following Bills were introduced:

H. B. No. 1 by Crismas, being a Bill for an Act entitled, "An Act defining the crime of sedition, and to prescribe punishment therefor, and declaring this Act to be an emergency law necessary for the preservation of public peace and safety." Referred to Committee No. 3.

H. B. No. 2, by Stimpert, being a Bill for an Act entitled, "An Act defining the crime of criminal syndicalism and describing the punishment therefor."

H. B. No. 3, introduced by Stimpert, being a Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, providing a penalty for violations and appropriating money for carrying out the purposes therefor." Referred to Committee No. 4.

House Joint Resolution No. 1, introduced by Mason, being "A Joint Resolution relating to the labor situation throughout the State of Montana, and the northwest and the urgent need for legislation providing for the location, registration, classification and proper assignment thereof." Referred to Committee No. 1.

House Joint Resolution No. 2, introduced by Kemmis, being "A Joint Resolution ratifying an amendment to the constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors." Referred to Committee No. 4.

House Joint Resolution No. 3, introduced by Harbert, being "A Resolution memorializing Congress for an appropriation of seven hundred fifty thousand

dollars for the Flathead irrigation project for the ensuing year." Referred to Committee No. 1.

Upon motion of Searles the House proceeded to Order of Business No. 6, Motions and Resolutions.

Searles: I move that Mr. A. J. Pharmer be appointed printing clerk, owing to a vacancy in that office. Motion carried.

On motion of Gould the Chief Clerk was instructed to have two hundred and fifty copies of the Standing Committees of the House printed. Motion carried.

Upon motion of Lanstrum the House adjourned until 10:30 o'clock Friday, February 15th, 1918.

SECOND DAY

February 15th, 1918.

House met at 10:30 o'clock A. M. pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll call and all members found present.

Blodgett of the Committee on Journal reports as follows:

Helena, Montana, February 15, 1918.

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the First day and find same to be correct.

T. E. BLODGETT, Chairman.

Report adopted.

COMMUNICATIONS AND PETITIONS.

The following petitions were received and read in the House:

We the undersigned qualified electors of the State of Montana, respectfully petition your honorable body to pass proper laws putting into effect as a necessary war measure, immediate state-wide prohibition of the manufacture and sale of intoxicating liquor.

We also petition your honorable body to immediately ratify the National Constitutional Prohibition Amendment relative to the manufacture and sale of alcoholic liquor: Mary M. White, Frank C. Williams, H. R. Waldroh, A. I. White, Fred E. Price, Mrs. Ella Price, Mrs. A. Miller, Mrs. E. Hright, and about 60 others

Helena, Montana, February 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that in accordance with rule 35 as amended the following named Senators became members of the following Committees:

Judiciary: Burlingame, Annin, Brower, Clark, Clay, Edwards, Ellingson, Healy, Heren, Hurd, Jones, Kane, Lane, Larson, Mershon, Muffly, Parker, Stevens and Taylor.

Finance and Claims: Kinney, Arnold, Burla, Dwight, Featherly, Fishbeck, Gallwey, Gnose, Haley, Hogan, Junod, McCone, Meadors, Morris, Oliver, Roberts, Whiteside and Williams.

(Signed) J. F. CONE, Secretary of the Senate.

Helena, Montana, Feb. 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Larson, duly seconded, and carried, the following Committee on Rules consisting of Edwards, Dwight, and Hogan was appointed.

(Signed) J. F. CONE, Secretary of the Senate.

Helena, Montana, Feb. 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Rules made the following report:

Mr. President: Your Committee on Rules respectfully submit the following: That the rules as adopted by the Fifteenth Legislative Assembly shall be the rules governing the special session with the following amendments and as amended I move that the same be adopted:

1. Amend Rule 2, Section 6, by adding the following: Ten minutes shall be allowed each speaker on any subject.

2. Amend Rule 15, by striking out the numbers and committees named from 1 to 36, both inclusive, and inserting in lieu thereof the following: 1, Judiciary; 2, Finance and Claims; 3, Printing; 4, Enrolling; 5, Engrossing.

3. Amend Rule 35, by striking out in its entirety and inserting in lieu thereof the following: "For the selection of members of One and Two of the Standing Committees the Secretary of the Senate shall prepare slips of paper, as many slips of paper as there are members of the Body present. Upon one-half of the slips he shall write the words "Judiciary" and upon the other half the words "Finance and Claims." He shall then place in a hat as many slips as there are members of the majority party present. Upon one-half of these slips there shall appear the word "Judiciary" and upon the other half the words "Finance and Claims." He shall then pass to the majority members the hat containing the slips, then pass and each member shall draw therefrom one slip and the name written upon the same shall be the committee upon which the member shall sit. The same procedure shall be observed as to the committee membership of the minority party or parties.

Should the membership of any party represented in the Senate consist of an odd number the word "Judiciary" shall be written on one more slip than used for the words "Finance and Claims." Each committee at the first meeting shall by ballot select the Chairman thereof. Numbers 3, 4 and 5 of the Standing Committees and all special and joint committees shall be appointed by the presiding officer of the Senate.

EDWARDS, Chairman.

On motion duly seconded the foregoing report was adopted.

The President appointed the following members to serve on the Committee of Printing: Gallwey, Lane and Meadors. Committee on Engrossed Bills: Burla, Williams and Heren. Committee on Enrolled Bills: Larson, Oliver and Muffy.

(Signed) J. F. CONE, Secretary of the Senate.
Helena, Montana, Feb. 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Employees reported the following named persons to act as employees of the Senate: Secretary of the Senate, J. F. Cone; assistant to secretary, Alice E. Pfiffner; assistant Chaplain, Rev. E. E. Dodds.; Sergeant-at-Arms, Louis Goodman; assistant Sergeant-at-Arms, C. C. Price; Bill Clerk, Alice M. Teagarden; Journal Clerk, Mabel D. Williams; assistant Journal Clerk, Agnes Elphison; Engrossing Clerk, Stella Walsh; Enrolling Clerk, Mrs. Ella Supple; Assistant Enrolling Clerk, Fannie Minor; Printing Clerk, John Edgerton; assisting Printing Clerk, Kady Potter. The following four stenographers are to be furnished by the State officers: Mrs. Hubbard from Adjutant General's office; Mrs. D. C. McCallum, from the State Engineer's office; Miss E. Von Heindrickshofen from the Treasurer's office; Miss Pearl Florence from Railroad Commission's office.

(Signed) J. F. CONE, Secretary of the Senate.
Helena, Montana, February 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate was duly organized on the 14th day of February, 1918, in extraordinary session.

On motion of Senator Edwards, which was adopted, the following Senators were appointed to notify His Excellency, the Governor, that the Senate was duly organized and ready for business: Kinney, Williams and Morris.

And on motion which was adopted the following Senators were appointed to notify the House that the Senate was duly organized, and ready for business: Edwards, Gallwey and Hogan.

(Signed) J. F. CONE, Secretary of the Senate.
Helena, Montana, February 14, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day introduced without previous notice by unanimous consent, read first and second time and referred as follows:

By Williams: "A Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, provid-

ing a penalty for violations, and appropriating money for carrying out the purposes thereof." Referred to Committee on Finance and Claims.

(Signed) J. F. CONE, Secretary of the Senate.

NOTICE OF BILLS.

Searles, Wheat and Holt were given the unanimous consent of the House to introduce Bills without previous notice.

INTRODUCTION OF BILLS.

House Bill No. 4, introduced by Searles. A Bill for an Act entitled: "An Act to amend Section 19 of Chapter 173, acts of the Fifteenth Legislative Assembly of the State of Montana, relating to the fish and game laws of the State of Montana, and to enact an additional section to said Chapter 173 acts of the Fifteenth Legislative Assembly to be designated as Section 29A, authorizing and empowering the Montana State Fish Commission to fix prices at which fish caught or taken within the State shall be sold within the State; and providing for the punishment of persons selling such fish at prices in excess of those fixed by the Montana State Fish Commission." Referred to Committee No. 4.

House Bill No. 5, introduced by Wheat. A Bill for an Act entitled: "An Act legalizing and validating bonds issued by counties for the purpose of funding or refunding outstanding indebtedness, which Bonds have been issued without the question of issuing the same, or funding or refunding such indebtedness, having been first submitted to and approved by the Electors of such Counties. Referred to Committee No. 1.

House Joint Memorial No. 1, introduced by Holt, Griffin, Kennis, Davis, Sand, Hawks, Sektan, White. A resolution memorializing Congress to pass necessary legislation defining as a crime and providing punishment therefor, all acts of individuals, associations, corporations and partnerships done or attempted to be done, that may construe as sedition or sabotage. Referred to Committee No. 2.

On motion of Lanstrum the House recessed until 1:30.

AFTERNOON SESSION.

House resumes at 1:30 P. M.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 1, entitled "An Act defining the crime of sedition, and to prescribe punishment therefor, and declaring this Act to be an emergency law necessary for the preservation of public peace and safety," having had the same under consideration, beg to report the said Bill back to the House with the recommendation that it do pass.

EDWARD C. JOHNSON of Deer Lodge, Chairman.

Report adopted.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee No. 2, to whom has been referred House Bill No. 2, introduced by Stimpert, "A Bill for an Act entitled, "An Act defining the crime of criminal syndicalism and describing the punishment therefor," having had same under consideration, beg leave to report and recommend that, being informed that a similar measure is being considered by the Senate, and with the end in view of expediting the consideration and passage of this legislation, we recommend the appointment of a committee of three members of the House, who are now members of Committee No. 2, and that the Honorable Senate be requested to appoint a like committee for the preparation and consideration of the Bills relating to criminal syndicalism and sabotage.

Report adopted.

McMAHON.

Higgins and Eliel were granted unanimous consent of the House to introduce Bills without previous notice.

McMahon moved that the House recess for ten minutes. Motion carried.

House resumed:

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee No. 2, to whom was referred House Joint Memorial No. 1, introduced by Holt, Griffin, Kemmis, Davis, Sand, Hawks, Sektan, White, "A resolution memorializing Congress to pass necessary legislation defining as a crime and providing punishment therefor, all acts of individuals, associations, corporations, and partnerships done or attempted to be done, that may be construed as sedition or sabotage," having had same under consideration, beg leave to report that we have found the aforesaid memorial in its original form as being defective in orthography, diction, etc., have re-written the same and amended it as follows, that the last paragraph shall read:

"Be it further resolved that a copy of this memorial be transmitted by the Secretary of State of the State of Montana, to the Honorable Attorney General of the United States, members of the United States Senate, and House of Representatives from the State of Montana, requesting them to exert every effort within their power to enact such legislation," and that as re-written and amended, we recommend the passage of House Joint Memorial No. 1.

McMAHON, Chairman.

Report adopted.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, a majority of your Committee No. 4, to whom was referred House Joint Resolution No. 2, introduced by Kemmis, being "A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale, and transportation of intoxicating liquors," beg leave to report it back to the House with the recommendation that it do pass.

ELIEL, Chairman.

Helena, Montana, February 15, 1918.

Mr. Speaker: The undersigned, being a minority of your Committee No. 4, to whom was referred House Joint Resolution No. 2, introduced by Kemmis, entitled, "A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors," beg leave to report the same back to the House with the recommendation that action therein be indefinitely postponed.

SEARLES.

Eliel moved the adoption of the majority report, and as a substitute motion Searles moved the adoption of the minority report. The majority report was adopted.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 3, introduced by Stimpert, entitled, "A Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, providing a penalty for violations, and appropriating money for carrying out the purposes thereof," beg leave to report that we have considered the same, report it back to the House with the recommendation that it do pass.

Report adopted.

ELIEL, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 4, introduced by Searles, entitled, "A Bill for an Act entitled, 'An Act to amend Section 19 of Chapter 173, Acts of the Fifteenth Legislative Assembly of the State of Montana, relative to the Fish and Game Laws of the State of Montana, and to enact an additional section to said Chapter 173, Acts of the Fifteenth Legislative Assembly, to be designated as Section 29A, authorizing and empowering the Montana State Fish Commission to fix prices at which fish caught or taken within the State shall be sold within the State, and providing for the punishment of persons selling such fish at prices in excess of those fixed by the Montana State Fish Commission,'" beg leave to report that we have considered the same, and report it back to the House with the recommendation that it do pass.

Report adopted.

ELIEL, Chairman.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 4, introduced by Searles, entitled, "A Bill for an Act entitled, 'An Act to

amend Section 19 of Chapter 173, Acts of the Fifteenth Legislative Assembly of the State of Montana, relating to the Fish and Game Laws of the State of Montana, and to enact an additional Section to said Chapter 173, Acts of the Fifteenth Legislative Assembly, to be designated as Section 29A, authorizing and empowering the Montana State Fish Commission to fix prices at which fish caught or taken within the State shall be sold within the State, and providing for the punishment of persons selling such fish at prices in excess of those fixed by the Montana State Fish Commission;" beg leave to report that we have considered the same, and report it back to the House with the recommendation that it do pass.

Report adopted.

ELIEL, Chairman.

On motion of Searles, Miss Haggerty and Miss Clark were appointed as additional clerks to assist in enrolling committee.

On motion of Gould to give seed grain legislation right of way over all other legislation, both in committee and on the floor of the House, the motion carried.

Eliel: In order that the mileage that is due the several members may be properly certified to the State Auditor, I move at this time that the Speaker appoint a committee of three on mileage and per diem. Motion carried.

Mr. Speaker appointed Eliel, Duffy and Searles as the Committee on Mileage and Per Diem.

On motion of Lemmon the House reverted to Order of Business No. 4. Reports of Standing Committees.

Helena, Montana, February 15, 1918.

Mr. Speaker: Your Committee No. One, having had under consideration House Bill No. 5, introduced by Wheat, recommend that the same do pass.

LEMMON, Chairman.

Report adopted.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee No. One beg leave to report as follows: Committee No. One, having had under consideration House Joint Resolution Number Three, introduced by Harbert, Mason and Larse, hereby report same back with the recommendation that it do not pass and that substitute resolution hereto attached, be reported back with the recommendation that it do pass.

Report adopted.

LEMMON, Chairman.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee Number One, begs leave to report as follows:

Committee Number One, having had under consideration House Joint Resolution Number One, introduced by Mason, recommend that the same do pass.

LEMMON, Chairman.

Report adopted.

On motion of Higgins the House resolved itself into Committee of the Whole for the consideration of Substitute for the House Joint Resolution No. 3. McMahon in the Chair.

GENERAL ORDERS.

House resumed, Mr. Speaker in the Chair.

We, your Committee on the Whole, having had under consideration House Joint Resolution No. 3, beg leave to report the same back, with the recommendation that it do pass.

On motion of McMahon, House Joint Resolution No. 3 was considered correctly printed and engrossed and placed on calendar for third reading.

On motion of Higgins the House reverted to order of business No. 9, for the consideration of House Joint Resolution No. 3.

THIRD READING OF HOUSE BILLS.

House Joint Resolution No. 3, having been read three several times, was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carroll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fish-

baugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, and Mr. Speaker.

Ayes, 83; noes, none.

On motion of McMahon the Speaker appointed the following members to act with a like committee of the Senate on House Bill No. 2.

McMahon, Eaton and Charles Anderson.

On motion of Holt the House reverted to Order of Business No. 5, Introduction of Bills.

Higgins, Holt, Eliel, Larse and Mr. Speaker were given the unanimous consent of the House to introduced Bills without previous notice.

FIRST AND SECOND READING OF HOUSE BILLS.

The following Bills were read first and second time and referred as follows:

House Bill No. 6, introduced by Higgins. A Bill for an Act entitled, "An Act to amend Section 8875 of the Revised Codes of Montana of 1907, relative to the use of any flag of the United States of America for advertising purposes, and aspersing or desecrating any such emblem." Referred to Committee No. 3.

House Bill No. 7, introduced by Eliel. A Bill for an Act entitled, "An Act to appropriate the sum of three thousand dollars for the purpose of paying the per diem of officers and attaches of the Fifteenth Legislative Assembly." Referred to Committee No. 4.

House Bill No. 8, introduced by Eliel. A Bill for an Act entitled, "An Act to appropriate the sum of eighteen thousand dollars for the purpose of paying the mileage and per diem of members of the Fifteenth Legislative Assembly." Referred to Committee No. 4.

House Bill No. 9, introduced by Larsen. An Act to provide a period in each year to be known as a closed season during which time it shall be unlawful for any person or persons to set out, or cause to be set out, fires for the burning of brush, brush heaps, slashings, down or fallen timber, grass or weeds, or any inflammable material, for the purpose of clearing any land, and providing a penalty for the violation thereof. Referred to Committee No. 9.

House Joint Resolution No. 4, introduced by C. F. Holt. A resolution memorializing Congress for the passage of an Act regulating and fixing the price on all grains and cereals in the same manner and by the same method as the price of wheat is fixed and regulated. Referred to Committee No. 1.

House Bill No. 10, introduced by O'Connor. A Bill for an Act entitled "An Act authorizing counties to incur indebtedness for the purpose of procuring seed grain for the needy farmers, inhabitants thereof; providing for special elections for the purpose of submitting the question of incurring such indebtedness to the electors of such counties when the amount of indebtedness necessary to be incurred for such purpose will not exceed the sum of Ten Thousand Dollars, and the manner of calling and holding such elections; providing for the issuance of warrants in payment of seed grain purchased by counties for such purpose; providing for the levying of taxes for the payment of warrants and bonds and interest thereon; providing for the distribution of such seed grain among needy farmers; providing for liens against the property and crops of persons to whom seed has been furnished, and for the levying of taxes against property owned by such persons to secure payment of such liens; providing penalties for the violation of this act, and repealing Chapter 13, Acts of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'All Acts authorizing counties to issue bonds or warrants to procure seed grain for needy farmers resident therein; providing for advertising and receiving bids for the purpose of said bonds; providing for the deposition of the money realized from the sale of such bonds; providing for the creation of a sinking fund for the purpose of purchasing seed grain; providing for the distribution of seed grain among the needy farmers; providing for the levying of a tax and lien against the property of the person to whom said seed grain has been distributed and for the securing of the county of the payment by said person of the tax and lien against said property; providing penal-

ties for the violation of said Act," approved February 16, 1915. Referred to Committee No. 1.

On motion of Lanstrum the House recessed until 3:30.

House resumed. Mr. Speaker in the Chair.

On motion of Crowley the House reverted to Order of Business No. 4, Reports of Standing Committees.

Helena, Montana, February 15, 1918.

Mr. Speaker: We, your Committee on Enrollment, beg leave to report as follows:

That we have elected Miss Catherine Calk as Enrolling Clerk of the Fifteenth Legislative Assembly in Extraordinary Session.

Carried.

CROWLEY, Chairman.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 9, introduced by Larse, entitled "A Bill for an Act to provide a period in each year to be known as a closed season during which time it shall be unlawful for any person or persons to set out or cause to be set out fires for the burning of brush, brush heaps, slashings, down or fallen timber, grass or weeds, or any inflammable material for the purpose of disposing of such material, or for the purpose of clearing any land, and providing a penalty for the violation thereof;" having had the same under consideration, beg leave to report the said Bill back to the House with the recommendation that it do pass.

Report adopted.

JOHNSON of Deer Lodge, Chairman.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 6, introduced by Higgins, a Bill for an Act entitled "An Act to amend Section 8875 of the Revised Codes of Montana of 1907, relating to the use of any flag of the United States of America for advertising purposes, and aspersing or desecrating any such emblem," having had same under consideration, beg leave to report the said Bill back to the House with the recommendation that it do pass.

Carried.

JOHNSON of Deer Lodge, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 8, introduced by Eliel, a Bill for an Act entitled "An Act to appropriate the sum of Eighteen Thousand Dollars for the purpose of paying the mileage and per diem of members of the Fifteenth Legislative Assembly," beg leave to report that we have considered the same and report it back to the House with the recommendation that it do pass.

Carried.

ELIEL, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 7, introduced by Eliel, entitled, "A Bill for an Act entitled, an Act to appropriate the sum of Three Thousand Dollars for the purpose of paying the per diem of officers and attaches of the Fifteenth Legislative Assembly," beg leave to report that we have considered the same and report it back to the House with the recommendation that it do pass.

Adopted.

ELIEL, Chairman.

Mr. Speaker: We, your Committee No. 1, having had under consideration House Bill No. 10, introduced by O'Connor, beg leave to report as follows:

That Section 6, line 2, be amended by striking out the figures "20" and "25" and substituting therefor the figures "15" and "30."

That Section 6, line 6, be amended by striking out the words "once a week for two successive weeks" and substituting in lieu thereof the words "two successive times."

That Section 21, line 11, be amended by striking out the figures "100" and inserting in lieu thereof "150."

That section 14, line 2, be amended by striking out the words "Five hundred" and inserting in lieu thereof the words "one thousand."

That wherever the words "six per cent" occur in the Bill that they be changed to read "seven per cent."

And recommend that with the foregoing amendments this Bill do pass.

LEMMON, Chairman.

Adopted.

McMahon: I move that the chair appoint a committee of five members of the House, to act with a like committee of the Senate, said joint committee to be a general conference committee on all Bills, memorials and resolutions of a

similar or duplicate character that may be introduced in either House, to the end that an agreement may be had prior to the consideration of the required legislation by either House. Motion carried.

Mr. Speaker appointed the following members as the Joint Conference Committee: McMahon, Higgins, Weil, Eiel and Crismas.

The following communications were received from the Senate:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill having this day been read three several times and passed, title agreed to, is herewith transmitted to your Honorable Body for concurrence: Senate Bill No. 2.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Edwards that the President appoint a committee of five to confer with a like committee from the House as a Standing Conference Committee which motion was duly seconded and carried, and the President appointed the following: Edwards, Gallwey, Larson, Whiteside and Kinney, to serve on this committee.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body the following Bills were this day read a third time, titles agreed to, and concurred in: House Bill No. 5, by Wheat; House Bill No. 7, by Eiel; House Bill No. 8, by Eiel. Same are herewith transmitted.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day read a third time, passed, titles agreed to, and are herewith transmitted for concurrence: Senate Bill No. 6, by Muffy; Senate Bill No. 5, by Muffy; Senate Bill No. 4, by Stevens.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills and Memorials were this day read third time and concurred in as amended, title agreed to, and are herewith transmitted to House for concurrence in amendments: House Joint Memorial No. 1; House Bill No. 1, by Crismas; House Bill No. 4, by Searles; House Bill No. 10, by O'Connor.

(Signed) J. F. CONE, Secretary of the Senate.

Hurd: I move that J. L. Seawell be employed as proof reader to assist the clerk of the Printing Committee: Motion carried.

On motion of Lanstrum the House adjourned until 10 o'clock A. M. Saturday, February 16, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

THIRD DAY

Saturday, February 16, 1918.

House met at 10 A. M. pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll call, all members present.

Ingalls, of the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that we have examined the Journal of the Second day and find the same correct. Report adopted.

COMMUNICATIONS AND PETITIONS.

The following communications and petitions were received and read before the House.

WHEREAS, Governor Stewart has called an extra session of the Montana Legislature to consider certain matters of special importance at this time, among them being a law defining disloyal and treasonable utterances and acts, and providing punishment thereof.

AND WHEREAS, In this time of our nation's peril, and while our brothers and sons are at the front fighting to protect our country, our lives and our honor, we who of necessity, must remain behind should give not only our material, but our moral support to our government and our armies.

THEREFORE, BE IT RESOLVED, That we, the members of the Montana Horticultural Society, in annual convention assembled, do hereby commend and uphold our Governor in his call for such legislation and enact such a law to the end that disloyalty may be suppressed and that the utterances and acts intended or tending to hamper the Government in the prosecution of the war may be adequately punished.

RESOLVED, That a copy of these resolutions be sent to Governor Stewart and to the presiding officers of each House of the Legislature. Adopted unanimously.

Hamilton, Feb. 14, 1918.

O. B. WHIPPLE, Secretary Treasurer.

Introduced by W. B. Harlan, Como, Montana.

Petition to the Legislative Assembly of the State of Montana to enact a law whereby the State of Montana will finance the needy farmers in the Agricultural Districts of the State of Montana;

Whereas, the Governor of the State of Montana, under and by virtue of the authority vested in him by the Constitution and Statutes has convened the Legislative Assembly of the State of Montana in extraordinary session at the City of Helena, the Capitol of the State of Montana, on Thursday the Fourteenth day of February, A. D. 1918, at the hour of twelve o'clock noon to consider, among other things, the enactment of a law, to provide the amendment of the existing Seed Grain Law, or the enactment of a new law, and

Whereas, if the season of 1918 be an ordinary one, the farmers will be at work in their fields within the next fifty days, and

Whereas, it will be necessary to finance a great number of farmers within the State of Montana in order that they may be enabled to purchase seed and feed grains and it is necessary that such financial aid be available at once, and

Whereas, it is apparent that if the several counties of the State call elections for the purpose of voting on a bond proposition for the purpose of furnishing finances to the needy farmers that such elections will be held too late in the season of 1918 to be of aid to the farmers of the State, and

Whereas, the banks in the smaller towns will be unable to furnish the needy farmers of their communities, financial aid for the purchase of seed and feed grains.

NOW THEREFORE, BE IT RESOLVED by the Winnifred Commercial Club of Winnifred, Fergus County, Montana, that we do hereby petition and earnestly pray for the Honorable Legislative Assembly of the State of Montana for the passage of special legislation, authorizing the State of Montana to furnish the necessary financial aid to the needy farmers of the State of Montana, for the purchase of seed and feed grains.

IT IS FURTHER RESOLVED, That a copy of this Memorial be forwarded by the Secretary of this Association to Senate of the State of Montana, and that a copy of this Memorial be forwarded to the House of Representatives of the State of Montana, and that copies thereof be transmitted by the Secretary of this Association to the members of the Legislative Assembly of the State of Montana of the County of Fergus, Montana, with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

Dated this 11th day of February A. D. 1918.

WINNIFRED COMMERCIAL CLUB.

(Signed) F. J. REYLECK, President.

Attest:

HOWARD C. GEE, Secretary.

To the Honorable Walter D. Kemmis, Representative, Helena, Montana.

Dear Sir: The following resolution in regard to the seed grain situation was adopted unanimously by the Mayor and the Council of the Town of Lambert:

"WHEREAS, by reason of drouth there has either been a total or partial failure of crops to the farmers in this vicinity:

"AND WHEREAS, this being a newly settled country and most of the farmers being more or less in debt:

"AND WHEREAS, many of the said farmers are financially unable to buy seed grain of their own account as they have exhausted their credit:

"AND WHEREAS, the banks are carrying on the limit of their capacity:

"AND WHEREAS, the United States is now at war and we consider bread as essential in winning the war as actual fighting:

"AND WHEREAS, the present seed grain law enacted in 1915 requires considerable red tape:

"AND WHEREAS, in our opinion, it is urgent and necessary that the red tape be cut and that seed grain be furnished forthwith and without going through the formalities set forth in the seed grain law of 1915:

"AND WHEREAS, in our opinion, such law could be enacted as an emergency law under the present military conditions:

"AND WHEREAS, there is more land now plowed and in proper shape for seeding than ever before in the history of this community:

"NOW THEREFORE, in consideration of the premises aforesaid, be it resolved that we ask our representative, Walter D. Kemmis, to use every effort within his power toward the enactment of a proper and adequate law whereby speedy relief may be obtained by needy farmers in the way of necessary seed grain.

E. G. UFER, Mayor.

C. A. WORTHING, Clerk.

NOTICES.

Rasmussen was granted the unanimous consent of the House to introduce a Bill without previous notice.

Speaker pro tem in the chair.

Mr. Speaker was granted the unanimous consent of the House to introduce a Bill without previous notice.

INTRODUCTION OF BILLS AND FIRST AND SECOND READING OF SAME.

The following Bills were read first and second time and referred to following committees:

House Bill No. 11, introduced by Rasmussen. A Bill for an Act entitled: "An Act providing that taxes upon property owned by persons in the active military service of the United States shall be held in abeyance until the expiration of one year after the cessation of hostilities." Referred to Committee No. 1.

House Bill No. 12, introduced by James T. O'Connor. A Bill for an Act entitled: "An Act authorizing counties to incur an indebtedness for the purpose of procuring feed grain for needy farmers. Inhabitants thereof: Providing for special election for the purpose of submitting the question of incurring such indebtedness to the electors of such counties when the amount of indebtedness necessary to be incurred for such purposes will exceed the sum of Ten Thousand Dollars, and the manner of calling and holding of such elections; providing for the issuance of warrants in payment of feed grain purchased by counties for such purpose, providing for the issuance and sale or exchange of bonds to fund warrant indebtedness incurred for such purpose; providing for the levying of taxes for the payment of warrants and bonds and interest thereon; providing for the distribution of such feed grain among needy farmers; providing for liens against the property of persons to whom feed grain has been furnished, and for the levying of taxes against property owned by such persons to secure payment of such liens; and providing for penalties for violations of the provisions of this act." Referred to Committee No. 1.

CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE.

Following communications were received from the Senate:

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 2, by Muffly: A Bill for an Act entitled, "An Act defining criminal

syndicalism, and the word sabotage; prohibiting the advocacy, teaching or suggestion thereof; and prohibiting the advocacy, teaching or suggestion of crime, violence or the commission of any unlawful act or thing as a means to accomplish industrial or political ends, reform, change or revolution; and prohibiting assemblages for the purpose of such advocacy, teachings and suggestions; declaring it unlawful to permit the use of any place, building, rooms or premises for such assemblage in certain cases; and providing penalties for the violation thereof. Referred to Judiciary Committee.

By Annin: Senate Joint Resolution No. 1, "A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors." Referred to Finance and Claims Committee.

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Muffly: "A Bill for an Act defining criminal syndicalism and the word sabotage, prohibiting the advocacy, teaching or suggestion thereof, the advocacy of any crime, violence, or the commission of other unlawful act or thing as a means of accomplishing industrial or political ends, reforms, or revolution, and assemblage for the purpose of such advocacy, teaching, or suggestion, and prohibiting the same; declaring it unlawful to permit the use of any place, or to use any place, building, room or rooms for such assemblage in certain cases, and providing penalties for the violation of the provisions thereof."

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, to whom was referred Senate Bill No. 1, introduced by Williams, entitled: "A Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, providing for a penalty for the violations and appropriating money for the carrying out of the purposes thereof," having had the same under consideration report the same back with the recommendation that it be amended as follows:

Amend Section 1, in line 2, by striking out the word "nine" and inserting in lieu thereof the word "eleven."

In line 7, after the word "Governor" insert the following: Not less than three members of said council shall be practical resident farmers, actively engaged in the production of agricultural food stuffs."

Amend Section 4, by striking out the words "In the event of war" and inserting in lieu thereof the words "during the continuance of the state of war."

Amend Section 6, by striking out the words "One Hundred Dollars" and inserting the words "One Thousand Dollars" and by striking out the words "Thirty Days" and inserting in lieu thereof the words "One Year."

Amend Section 8 by inserting the words "Twenty-five" between the words "of" and "Thousand," so that the same shall read "Twenty-five Thousand Dollar."

And recommend that as amended the Bill do pass.

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 2, introduced by Muffly, entitled: "An Act defining criminal syndicalism, and the word sabotage; prohibiting the advocacy, teaching or suggestion thereof; and prohibiting the advocacy, teaching or suggestion of crime, violence or commission of any unlawful act or thing as a means to accomplish industrial or political ends, reform, or change or revolution; and prohibiting assemblages for the purpose of such advocacy, teaching or suggestions; declaring it unlawful to permit the use of any place, building, rooms or premises for such assemblages in certain cases; and providing penalties for the violation thereof," having had same under consideration recommend that the same be printed.

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, to whom was referred Senate Joint Resolution No. 1, introduced by Annin, being "A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors," having had the same under consideration recommend that it do pass. Report adopted.

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Muffly, the President of the Senate was requested to appoint a committee of three (3) to meet a like committee from the House to consider Senate Bill No. 2, introduced by Muffly, and House Bill No. 2, introduced by Stimpert, relating to criminal syndicalism and sabotage.

The following senators were appointed: Muffly, Lane and Williams.

(Signed) J. F. CONE, Secretary of the Senate.

February 15, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was introduced without previous notice, read first and second time:

Senate Bill No. 3, by Edwards. A Bill for an Act entitled, "An Act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war." Referred to Judiciary Committee.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker in the chair.

The Printing Committee made the following report:

We, your Committee on Printing, beg leave to report the following Bills correctly printed: House Bills Nos. 3, 4, 6 and 9, and House Joint Resolution No. 1. Report adopted.

Sand was given unanimous consent to introduce a resolution without previous notice.

The following resolution was read first and second time and referred to the following committee:

House Joint Resolution No. 5, introduced by A. U. Sand. A resolution memorializing Congress for the passage of legislation and appropriations to in some manner alleviate the seed grain and feed shortage in the State of Montana, wherein it is impossible for the counties of the State of Montana to avail themselves of the relief which the State can provide. Referred to Committee No. 1.

On motion of Gould the House recessed for one hour.

House resumed.

Mr. Speaker in the chair.

On motion the House resolved itself into Committee of the Whole for the consideration of General Orders. Rasmussen in the chair.

GENERAL ORDERS.

House resumed, Mr. Speaker in the chair.

Rasmussen of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 3, introduced by Stimpert, a Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its power and duties, providing a penalty for violations, and appropriating money for carrying out the purposes thereof, recommend that it be referred to the General Joint Conference Committee.

Also, House Bill No. 4, introduced by Searles, a Bill for an Act entitled, "An Act to amend Section 19 of Chapter 173, Acts of the Fifteenth Legislative Assembly of the State of Montana, relative to the fish and game laws of the State of Montana, and to enact an additional section to said Chapter 173 Acts of the Fifteenth Legislative Assembly, to be designated as Section 29 A, authorizing and empowering the Montana State Fish Commission to fix prices at which fish caught or taken within the State shall be sold within the State, and providing for the punishment of persons selling such fish at prices in excess of

those fixed by the Montana State Fish Commission, recommend that the same be amended as follows:

I move to amend House Bill No. 1 after line 12 by inserting the words "Lock Laven Trout." This line to be known as 12½.

Passed.

JOHNSON of Deer Lodge.

No person other than a bona fide resident of the State of Montana shall be permitted to fish for food fish for the market and he shall not be permitted under any circumstances to have in his possession at any time any species of game fish. Every person who fishes for market must first register with the State Game Warden declaring his intention to become a market fisherman. He shall make application to the State Game Warden at the time of his registration for permission to fish for food fishes for the market and in his said application he shall designate his residence and designate also the waters from which said fish are contemplated to be taken. These waters shall be designated by the names of the streams or lakes by which they are commonly known and by which they are shown upon the official state map."

Line 15, change section 29A to read 29B.

Line 13, Section 2, make "Section" read "Sections," and after 29A insert the words and figures "and 29B."

Amend Section 3 to read "Section 2. Any person found guilty of violating any of the provisions of Section 29A shall be punished by fine of not less than Twenty-five (\$25.00) dollars, nor more than Two Hundred (\$200.00) dollars."

Change the present numbered Sections 3 and 4 to Sections 4 and 5. And as amended, recommend that it do pass.

Also House Bill No. 6, introduced by Higgins. A Bill for an Act entitled: "An Act to amend Section 8875 of the Revised Codes of Montana of 1907 relating to the use of any flag of the United States of America for advertising purposes, and aspersing or desecrating any such emblem," recommend that the same do pass.

Also, House Bill No. 9, introduced by Larse. A Bill for an Act to provide a period in each year to be known as a closed season during which time it shall be unlawful for any person or persons to set out or cause to be set out fires for the burning of brush, brush heaps, slashings, down or fallen timber, grass or weeds, or any inflammable material, for the purpose of disposing of such material, or for the purpose of clearing away any land and providing a penalty for the violation thereof, recommend that the same be amended as follows:

Section 1, line 8, after the word, "Imprisonment" insert, "Provided, however, that this act shall not apply or be operative within the limits of any incorporated town or city."

Also, Section 1, line 2, by striking out the words "15th day of September" and inserting in lieu thereof the words and figures "1st day of October," and as amended recommend that the same do pass.

Also, House Joint Resolution No. 1, introduced by Mason, a Joint Resolution relating to the labor situation throughout the State of Montana, and the northwest and the urgent need for legislation providing for the location, registration, classification and proper assignment thereof, recommend that the same do pass.

Report adopted.

(Signed) RASMUSSEN, Chairman.

On motion of Lemmon the House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee on Printing, beg leave to report the following Bills correctly printed: House Bills Nos. 1, 5, 7, 8 and 10; House Joint Resolution No. 2 and House Joint Memorial No. 1.

Report adopted.

HURD, Chairman.

Mr. Speaker: Your Committee No. 1 having had under consideration House Joint Resolution No. 4, introduced by Holt, "A Resolution memorializing Congress for the passage of an Act regulating and fixing the price of all grains and cereals in the same manner and by the same method as the price of wheat is fixed and regulated," respectfully report same back with the recommendation that it do pass.

Report adopted.

LEMMON, Chairman.

Mr. Speaker: Your Committee No. One having had under consideration House Bill No. 11, introduced by Rasmussen, a Bill for an Act entitled, "An Act providing that taxes upon property owned by persons in active military service of the United States shall be held in abeyance until the expiration of one year after the cessation of hostilities," respectfully report same back with the following amendment:

In line 7 of Section 1 insert after the word "Hostilities" the words "or within one year of discharge of military service." As amended, recommend that same do pass.

Report adopted.

LEMMON, Chairman.

Mr. Speaker: Your Committee Number One having had under consideration House Bill No. 12, introduced by O'Connor, a Bill for an Act entitled, "An Act authorizing counties to incur an indebtedness for the purpose of procuring feed grain for needy farmers, inhabitants thereof; providing for special elections for the purpose of submitting the question of incurring such indebtedness to the electors of such counties when the amount of indebtedness necessary to be incurred for such purpose will exceed the sum of ten thousand dollars, and the manner of calling and holding such elections; providing for the issuance of warrants in payment of feed grain purchased by counties for such purpose; providing for the issuance and sale or exchange of bonds to fund warrant indebtedness incurred for such purpose; providing for the levying of taxes for the payment of warrants and bonds and interest thereon; providing for the distribution of such feed grain among needy farmers; providing for liens against the property of persons to whom feed grain has been furnished, and for the levying of the taxes against property owned by such persons to secure payment of such liens; and providing for the penalties for violations of the provisions of this Act," beg leave to report as follows:

That it be amended so that wherever the words six per cent appear that same be changed to read not exceeding seven per cent and as amended we recommend that the same do pass.

Report adopted.

LEMMON, Chairman.

Mr. Speaker: Your Committee Number One, having had under consideration House Joint Resolution No. Five, introduced by Sand, "A Resolution memorializing Congress for the passage of legislation and appropriations to in some manner alleviate the seed grain and feed shortage in the State of Montana wherein it is impossible for the counties of the State of Montana to avail themselves of the relief which the state can provide," beg leave to report same back with the recommendation that it do pass.

Report adopted.

LEMMON, Chairman.

On motion of Belden the House proceeded to Order of Business No. 5.

INTRODUCTION OF BILLS.

Belden and Eliel were granted unanimous consent of the House to introduce Bills without previous notice.

House Bill No. 13, introduced by Belden, an Act to amend Sections One and Two of Chapter twenty-three of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to a lien upon growing crops and grains threshed therefrom for the purchase price of the seed and grain purchased for the production or cultivation of such crop and to add thereto an additional section to be known as Section Four thereof, read first and second time and referred to Committee No. 1.

House Bill No. 14, introduced by Eliel, an Act appropriating money for Farmers' Institutes, Farmers' extension work, and the Bureau of Agriculture and Publicity, for the period beginning March 1st, 1918, and ending February 20th, 1919, read first and second time and referred to Committee No. 4.

On motion of Stimpert the House recessed until 2 o'clock P. M.

House resumed.

Mr. Speaker in the chair.

On motion of Gould the House resolved itself into Committee of the Whole. Rasmussen in the chair.

GENERAL ORDERS.

House resumed.

Mr. Speaker in the chair.

Rasmussen of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 10, introduced by James J. O'Connor. A Bill for an Act entitled "An Act authorizing counties to incur an indebtedness for the purpose of procuring seed grain for needy farmers, inhabitants thereof; providing for special elections for the purpose of submitting the question of incurring such indebtedness to the electors of such counties when the amount of indebtedness necessary to be incurred for such purpose will exceed the sum of Ten Thousand Dollars, and the manner of calling and holding such elections; providing for the issuance of warrants in payment for seed grain purchased by counties for such purpose; providing for the issuance and sale or exchange of bonds to fund warrant indebtedness incurred for such purpose; providing for the levying of taxes for the payment of warrants and bonds and interest thereon; providing for the distribution of such seed grain among the needy farmers; providing for liens against the property and crops of persons to whom seed grain has been furnished and for the levying of taxes against property owned by such persons to secure payment of such liens; providing for penalties for violations of this Act, and repealing Chapter 13, Acts of the Fourteenth Legislative Assembly of the State of Montana, entitled 'An Act authorizing counties to issue bonds or warrants to procure seed grain for needy farmers resident therein; providing for advertising and receiving bids for the purchase of said bonds; providing for the depositing of the money realized from the sale of such bonds; providing for the creation of a sinking fund and for the purpose of purchasing seed grain; providing for the distribution of said seed grain among the needy farmers; providing for the levying of a tax and lien against the property of the person to whom said grain has been distributed, and for the securing to the county of the payment by said person of the tax and lien against said property; providing penalties for the violation of said Act.'" Approved February 16th, 1915, recommend that the same be amended as follows:

Section 14, line 137, insert "thereof" in place of "hereof."

Strike out "and" in line 16, between the words "seed and grain."

Strike out in Section 22 the figures "6%" and insert in lieu thereof the words and figures "not exceeding 7%."

Line 215 insert after the word "manner" and before the word "deeds" the word "as."

In line 223, after the word "grain" add the words "provided, however, that the amount due may be paid at time prior to said date."

Section 23, line 246, add the following words: "Provided, however, that such seed grain shall not apply to or be superior to renewals of mortgages, which mortgages are prior liens at the time such seed grain lien attaches."

And as amended we recommend the Bill do pass.

Report adopted.

RASMUSSEN, Chairman.

On motion of Eliel the House reverted to Order of Business No. 4.

Mr. Speaker: We, your Committee on Mileage and per diem beg leave to submit the following report indicating the number of miles traveled by the members of the House and the sums due them:

Anderson, Chas., Lewistown, 418 miles, amount \$41.80. Anderson, Oscar W., Winnifred, 504 miles, amount \$50.40. Andrew, John T., Butte, 146 miles, \$14.60. Arneson, A. H., Big Timber, 314 miles, amount \$31.40. Baldwin, C. J., Bridger, 504 miles, amount \$50.40. Ball, Leonard, Butte, 146 miles, amount \$14.60. Baxter, E. C., Two Dot, 268 miles, amount \$26.80. Belden, C. W., Lewistown, 418 miles, amount \$41.80. Bent, Wallace A., Bridger, 538 miles, amount \$53.80. Bernard, P. N., Kalispell, 714 miles, amount \$71.40. Blodgett, F. E., Butte, 146 Miles, amount \$14.60. Booth, George T., Great Falls, 196 miles, amount \$19.60. Brooks, Joseph, Livingston, 244 miles, amount \$24.40. Buell, Henry M., Missoula, 240 miles, amount \$24.00. Buell, Hiram S. Bozeman, 196 miles, amount \$19.60. Buchanan, Frank, Hesper, 500 miles, amount \$50.00. Burnsworth, C. H., Forsyth, 682 miles, amount \$68.20. Carll, Frank, Billings, 478 miles, amount \$47.80. Clark, S. W., Geraldine, 322 miles, amount \$32.20. Connolly, Jas. J.,

Butte, 146 miles, amount \$14.60. Crismas, W. J., Joliet, 482 miles, amount \$48.20. Crowley, Tim, Butte, 146 miles, amount \$14.60. Davis, C. C., Conrad, 334 miles, amount \$33.40. Deibel, R., Miles City, 770 miles, amount \$77.00. Demel, C. W., Billings, 478 miles, amount \$47.80. Dodds, Percy F., Whitefish, 710 miles, amount \$71.00. Duffy, Joe H., Butte, 146 miles, amount \$14.60. Eaton, Earnest T., Billings, 478 miles, amount \$47.80. Eliel Frank, Dillon, 284 miles, amount, \$28.40. Farmer, F. W., Great Falls, 196 miles, amount \$19.60. Fishbaugh, L. M., Carter, 240 miles, amount \$24.00, 14 by stage \$1.40, total, \$25.40. Fuller, N. H., Miles City, 770 miles, amount \$77.00. Gould, M. S., Twin Bridges, 262 miles, amount \$26.20. Griffin, James, Chirpook, 514 miles, amount \$51.40. Grimes, Thos. W., Butte, 146 miles, amount \$14.60. Gullidge, A. O., Ferry, 850 miles, amount \$85.00. Harbert, James, Polson, 308, 70 by stage, amount \$37.80. Harmon, W. E., Bozeman, 196 miles, amount \$19.60. Hathaway, Maggie S., Stevensville, Mont., 304 miles, amount \$30.40. Hawks, James A., Wibaux, 990 miles, amount \$99.00. Henderson, W. C., Miles City, 770, 200 by stage, amount \$97.00. Henry V. W., South Butte, 345, 13 by stage, \$35.80. Higgins, Ronald, Missoula, 240, amount \$24.00. Holt, C. F. Great Falls, 196 miles, amount \$19.60. Hurd, Walter L., Columbus, 389 miles, amount \$39.80. Ingalls, Mrs. E. A., Kalispell, 714 miles, amount \$71.40. Ironside, F. A., Butte, 146 miles, amount \$14.60. Jensen, S. R., Great Falls, 196 miles, amount \$19.60. Johnson, Edward C., Anaconda, 198 miles, amount \$19.80. Jones, Dudley, Dodson, 582 miles, amount \$58.20. Kehoe, Thos. M., Billings, 478 miles, amount \$47.80. Kelsey, Frank T., Moorhead, 770 and 248 by stage, amount \$101.80. Kemmis, Walter D., Sidney, 1044 miles, amount \$104.40. Larse, Geo. W. Plains, 394 miles, amount \$39.40. Lemmon, C. A., Anaconda, 198 miles, amount \$19.80. Lewis, V. E., Fort Benton, 286 miles, amount 28.60. McClory, John S., Shelby, 400 miles, amount \$40.00. McDonald, C. A., Choteau, 318 miles, 12 stage, amount \$33.00. McMahon, W. J., Butte, 146 miles, amount \$14.60. McMillan, R. O., Bainville, 982 miles, amount \$98.20. Mason, Dwight M., Ronan, 276, 50 by stage, \$32.60. Middleton, John R., Hysham, 616 miles, amount, \$61.60. Morris, Richard E., Baker, 976 miles, 20 by stage, amount \$99.60. Morrow, J. A., Ryegate, 646 miles, amount \$64.60. O'Brien, John, Butte, 146 miles, amount \$14.60. O'Connor, James F., Livingston, 246 miles, amount \$24.60. Page, John R. Philipsburg, 196 miles, amount \$19.60. Phelps, E. T., Baylor, 750 and 90 by stage, amount \$84.00. Quaintance, Cary, Boulder, 72 miles, amount \$7.20. Rainey, John, Lindsay, 934 miles, 48 by stage, amount \$98.20. Rasmussen, C. A., Glendive, 932 miles, amount \$93.20. Sand, A. U., Opheim, 860 miles, amount \$86.00. Scott, W. J., Hardin, 594 miles, amount \$59.40. Searles, Chas. A., Alberton, 302 miles, amount \$30.20. Sektan, M. Glasgow, 750 miles, 30 by stage, amount \$78.00. Spain, Wm. W., Belgrade, 176 miles, amount \$17.60. Stimpert, Adam, Great Falls, 196 miles, amount \$19.60. Ward, John M., Butte, 146 miles, amount \$14.60. Weil, Charles A., Eureka, 810 miles, amount \$81.00. Wheat, Gilbert G., Virginia City, 302 miles, amount \$32.40 (22 miles by stage). White, B. C., Buffalo, 414 miles, amount \$41.40. Total miles, 33,682; total per diem, \$3,568.20.

On motion of Rainey the House proceeded to Order of Business No. 5.

INTRODUCTION OF BILLS.

Henderson and Cotter obtained the unanimous consent of the House to introduce a Bill without previous notice.

The following Bills were read first and second time and referred to the following committee:

House Joint Resolution No. 6, introduced by Henderson and Rainey. A Resolution memorializing Congress for the passage of proper legislation enabling the President to order railroads to make additions and improvements necessary for war purposes and the public interest and petitioning for an order directing the construction of the proposed line of the Great Northern Railway company from Richey in Dawson county to Winnett in Fergus county. Referred to Committee No. 3.

House Bill No. 15, introduced by Cotter. A Bill for an Act entitled: "An Act providing a penalty for manufacturing, compounding, buying, selling, transporting, or having possession of any maxim silencer, bombs, nitro-glycerin, powder or any other explosive compound, with intent that the same shall be used

for injury or destruction of persons or property, providing that all persons aiding, abetting or assisting in the same shall be deemed principals, and providing that possession of certain of the same shall be presumptive evidence of guilt." Referred to Committee No. 3.

McMahon: I move that House Bill No. 10 be considered correctly engrossed, and placed on calendar for third reading. Motion carried.

Mr. Speaker: We, your Committee on Engrossing, to whom was referred H. B. No. 24, beg leave to report the same as correctly engrossed.

CONLEY, Chairman.

Report adopted.

The following Bills having been read three several times, title agreed to, were passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker. Total 83.

On motion of Hathaway the House reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES.

Mr. Speaker: We, your Committee appointed to draft suitable resolutions concerning the death of the late Honorable Frank C. Murray, beg leave to submit the following resolution concerning the death of the late Honorable Frank C. Murray:

WHEREAS, It is with feelings of keen sorrow and sincere regret that we have learned that during the interim between the adjournment of the regular and the convening of the extraordinary session God permitted the calling of our late brother member, the Honorable Frank C. Murray of Cascade county, from his earthly labors, and

WHEREAS, the members of the legislative assembly most deeply appreciate the kind and sympathetic spirit, and his untiring efforts, especially in his espoused cause of labor, and

WHEREAS, It was largely due to the ability, activity, honesty and integrity of Frank C. Murray that much of the effective legislation respecting the working conditions of men and women of Montana was enacted, and

WHEREAS, in the death of Frank C. Murray, Montana lost an able legislator, and organized labor one of its most prominent, sincere and tireless workers.

THEREFORE, BE IT RESOLVED, that the House of Representatives of the Fifteenth Legislative Assembly in special session take this occasion to express profound sorrow and to extend sincere sympathy to the bereft and heart-broken wife and little son, and

BE IT FURTHER RESOLVED, that a copy of these resolutions be spread upon the Journal of the House and copies thereof be furnished to the press of the State of Montana, and relatives of the deceased.

(Signed) MAGGIE SMITH HATHAWAY,
CHAS. P. COTTER,
ADAM STIMPert.

On motion of Belden the House reverted to Order of Business No. 1.

COMMUNICATIONS AND PETITIONS.

An invitation was received from the Helena Rotary Club inviting the members of the House to be the guests of the club at a luncheon to be given on Wednesday of next week.

McMahon moved that the House proceed to Order of Business No. 10. Motion carried.

CONSIDERATION OF GENERAL ORDERS.

On motion of McMahon the House resolved itself into Committee of the Whole for the consideration of General Orders.

Mason in the chair.

House resumed.

Mr. Speaker in the chair.

Mason, of the Committee of the Whole, made the following report:

Mr. Speaker: We, your Committee of the Whole, to whom was referred House Bill No. 1, introduced by Crismas, a Bill for an Act entitled: "An Act defining the crime of sedition, and to prescribe punishment therefor, and declaring this act to be merely an emergency law necessary for the preservation of public peace and safety," recommend that the same be amended as follows:

Section 2, line 35, by striking out the word "or" and inserting the word "and" in lieu thereof; and in line 36, by striking out the word "ten" and inserting in lieu thereof the word "twenty," and by striking out the following words: "Or by both such fine and imprisonment."

And as amended recommend that the Bill do pass.

Also, House Bill No. 7, introduced by Eliel, that the sum of Three Thousand Dollars (\$3,000.00), or so much thereof as may be necessary, and the same is hereby appropriated out of any money in the State Treasury not otherwise appropriated to pay the per diem of the officers and attaches of the Fifteenth Legislative Assembly, recommend that the same do pass.

Also House Bill No. 8, introduced by Eliel, a Bill for an Act entitled: "An Act to appropriate the sum of Eighteen Thousand Dollars for the purpose of paying the mileage and per diem of members of the Fifteenth Legislative Assembly, recommend that the same do pass.

Also, House Bill No. 5, introduced by Wheat, a Bill for an Act entitled: "An Act legalizing and validating bonds issued by counties for the purpose of funding or refunding indebtedness, which bonds have been issued without the question of issuing the same, or funding or refunding such indebtedness having been submitted to and approved by the electors of such counties, recommend that the same do pass.

Also, House Joint Resolution No. 2, introduced by Kemmis, a Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors, recommend that the same be referred to the Joint Conference Committee.

Also, House Joint Memorial No. 1, introduced by Holt, Sand, Griffin, White, Walter, Kemmis, Sektnan, Davis and Hawks. A Resolution memorializing Congress to pass necessary legislation defining as a crime and providing punishment therefor, all acts of individuals, associations, corporations, and partnerships done or attempted to be done, that may be construed as sedition or sabotage, recommend that it do pass.

Report adopted.

MASON, Chairman.

The following communication was received from His Excellency, the Governor:

Helena, Montana, February 16, 1918.

To the Speaker of the House of Representatives, Helena, Montana.

Chapter 169 of the Session Laws of the Fifteenth Legislative Assembly, enacted by your honorable body, created the State Board of Hail Insurance. The law has worked admirably in most respects. However, one defect has been made evident by the administration of the law.

By the terms of the law, farmers who wish to accept the benefits of the State Hail Insurance, must file their acceptance not later than the first of June of each year. In the opinion of the State Board of Hail Insurance, this time should be extended to June 15th.

I am transmitting herewith a communication from the board and respectfully direct your attention to the propriety of considering the recommendation of said board.

This letter of transmittal is sent to you in the nature of a message that you may have legal authority for the consideration of the subject matter contained in the letter of the State Board of Hail Insurance and in this communication to you.

S. V. STEWART, Governor.

The message of the Governor, together with the letter to him from the State Board of Hail Insurance, was referred to Committee No. 1.

The following communications were received from the Senate:

Helena, February 16, 1918.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, to whom was referred Senate Bill No. 4, introduced by Stevens, entitled: "An Act providing for the registration of fire arms and weapons and regulating the sale thereof and defining the duties of certain county officers and providing penalties for a violation of the provisions of this Act" having had the same under consideration recommend that the same be printed.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Memorial No. 1, introduced by Meadors, being a memorial "Memorializing Federal Food Administration to establish primary markets in the State of Montana," was this day introduced, read first and second time, and referred to Committee on Finance and Claims.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary, to whom was referred Senate Bill No. 3, introduced by Edwards, entitled, "An Act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war," having had same under consideration, recommend that the same be printed.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that substitute Joint House Resolution No. 3, introduced by Harbert, Mason and Larse, was this day read third time, and adopted, title agreed to, and is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 1, introduced by Annin, was this day read third time, title agreed to, and is herewith transmitted for concurrence.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 1, introduced by Williams was this day read third time, title agreed to, and is herewith transmitted for concurrence.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 3, introduced by Edwards was this day read third time, title agreed to, and is herewith transmitted for concurrence.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of Belden the House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS.

Belden was given unanimous consent of the House to introduce a Bill without previous notice.

House Bill No. 16, introduced by Belden, a Bill for an Act entitled: "An Act to amend Section 1 of Chapter 169 of the Laws of the Fifteenth Legislative Assembly of the State of Montana entitled, an Act to create a State Board of Hail Insurance; defining the duties and powers of said board; and of the public officers in connection therewith; providing for the levy and collection of taxes on all lands subject to injury or destruction by hail of all taxpayers who may elect to become subject to the provisions of this Act; providing for a hail insurance fund; providing for the appointment of appraisers, the appraisal and adjustment of losses, and the settlement thereof, and repealing all Acts which may in any way conflict with this Act." Approved March 14, 1917, was read first and second time and referred to Committee No. 3.

On motion of Lanstrum the House reverted to Order of Business No. 9.

On motion of Lanstrum House Bills Nos. 1, 5, 7 and 8 and House Joint Memorial No. 1 were considered correctly engrossed and placed on the calendar for third reading.

THIRD READING OF HOUSE BILLS.

House Bill No. 1, having been read three several times and title agreed to, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Total, 76.

House Bill No. 5, having been read three several times and title agreed to passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat, White, total 72.

House Bill No. 7, having been read three several times and title agreed to was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat, White. Total, 74.

House Bill No. 8 having been read three several times and title agreed to was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, total, 77.

House Joint Memorial No. 1, having been read three several times, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat, White, total, 78.

House Bill No. 4, having been read three several times and title agreed to, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat, White, total, 77.

A communication was received and read before the House petitioning the members to enact legislation prohibiting the sale and manufacture of intoxicating liquors, signed by August Patterson and about fifty others.

Upon motion of Lemmon, the House adjourned until 10 o'clock Monday morning, February 18.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

FIFTH DAY

Monday, February 18, 1918.

House resumed, pursuant to adjournment, at 10 o'clock A. M.

Mr. Speaker in the chair.

Prayer by chaplain.

Roll call. All members present.

The Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Third day and find the same correct.

BLODGETT, Chairman.

Report adopted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: Committee Number One, to whom was referred House Bill Number 13, introduced by Belden, "An Act to amend sections one and two of Chapter twenty-three of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to a lien upon growing crops of grains threshed therefrom for the purchase price of seed and grain purchased for the production or cultivation of such crop, and to add thereto an additional section to be known as section four thereof, having had the same under consideration, beg leave to report back with the recommendation that it do pass.

Report adopted.

LEMMON, Chairman.

beg leave to report back with the recommendation that it do pass. Report

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 16, introduced by Belden, a Bill for an Act entitled, "An Act to amend Section 1 of Chapter 169 of the Laws of the Fifteenth Legislative Assembly of the State of Montana entitled: "An Act to create a State Board of Hail Insurance; defining the duties and powers of said Board; and of public officers in connection therewith; providing for the levy and collection of taxes on all lands subject to injury or destruction by hail of all taxpayers who may elect to become subject to the provisions of this Act; providing for a hail insurance fund; providing for the appointment of appraisers, the appraisal and adjustment of losses, and the settlement therefor, and repealing all Acts which may in any way conflict with this Act," having had the same under consideration, beg leave to report the said bill back to the House with the recommendation that it do pass.

Report adopted.

JOHNSON of Deer Lodge, Chairman.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 15, a Bill for an Act entitled: "An Act providing a penalty for manufacturing, compounding, buying, selling, transporting, or having possession of Maxim silencers, bombs, nitro-glycerin, powder, or any other explosive com-

pound with intent that the same shall be used for the injury or destruction of persons or property, providing that all persons aiding, abetting or assisting in the same shall be deemed principals, and providing that the possession of certain of the same shall be presumptive evidence of guilt," having had the same under consideration, beg leave to report the said Bill back to the House with the recommendation that it do pass.

Report adopted.

JOHNSON of Deer Lodge, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 14, entitled: "A Bill for an Act entitled an Act appropriating money for Farmers' Institutes, Farmers' Extension work, and Bureau of Agriculture and Publicity, for the period beginning March 1st, 1918 and ending February 28th, 1919," having had same under consideration, beg leave to report the same back to the House with the recommendation that the Bill do pass.

Report adopted.

ELIEL, Chairman.

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 6, introduced by Higgins, beg leave to report same back as correctly engrossed.

Report adopted.

JAS. J. CONNOLLY, Chairman.

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 9, introduced by Larse, beg leave to report same back as correctly engrossed.

Report adopted.

JAS. J. CONNOLLY, Chairman.

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Joint Resolution No. 1, introduced by Mason, beg leave to report same back as correctly engrossed.

Report adopted.

JAS. J. CONNOLLY, Chairman.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee this day made the House Joint Resolution No. 7, introduced by Phelps a Joint Resolution relating to the farm crops raised in a certain section of the State of Montana and the urgent need of legislation to provide transportation of same. Referred to Committee No. 1.

MOTIONS AND RESOLUTIONS.

Lanstrum moved that House Joint Resolution No. 2 be recalled from the General Conference Committee and placed on General Orders. Motion carried.

The following resolution was offered and adopted by the House.

Mr. Speaker: The following resolution is hereby offered:

Whereas, Harold N. H. Blake, of Deer Lodge County, William Cutts of Silver Bow, and Dr. A. A. Husser of Hill, honored members of this House, have answered the call of their country and have entered a higher and nobler field of action, the Military Service, of the United States, thereby setting an inspiring example of patriotic zeal and self-sacrifice, therefore be it

Resolved, that this House formally express the sense of pride it feels by reason of the prompt and generous response of the aforesaid members to the call of the country, and the hope that they may be permitted to return safely from fields of glory and victory to their homes and paths of peace where their absence is so keenly felt.

Be It Further Resolved, That this resolution be entered upon the Journal of the House and copies thereof be transmitted to the distinguished members whose splendid patriotism we hereby endeavor to commemorate.

McMAHON,

ELIEL,

BELDEN,

MASON.

JOHNSON of Deer Lodge.

The following communication was received from Great Falls Metal Trades Council:

Speaker of the House of Representatives, Care Governor Sam Stewart, Helena, Montana.

In concurrence with proposed legislation of your Honorable Body, Great Falls Metal Trades Council organized a company of Home Guards with fifty charter members, no one but bona fide American citizens members of Organized

Labor will be allowed membership. We request the sanction and co-operation of yourself and State Legislature and further request that this provision be incorporated in the Bill.

GREAT FALLS METAL TRADES COUNCIL.

C. O. EDWARDS, Secretary.

Following report on House Bill No. 10, introduced by James F. O'Connor; a Bill for an Act authorizing counties to incur an indebtedness for the purpose of procuring seed grain, etc., reported as follows:

We recommend the amendment of Section 6 by adding in the eighth line of said section after the word "county" the words "if such newspaper be published weekly, but if it be published daily then eight successive insertions thereof."

Amend Section 12 by adding in the fifth line of said section after the word "of" the fifth word in said line, the words "not to exceed."

And after so amending, the Bill be concurred in.

INTRODUCTION OF BILLS.

House Joint Resolution No. 8, introduced by Davis. A Joint Resolution urging the newspapers and press generally throughout the State to eliminate duplication and repetition in the printing of news by discontinuing all daily papers, or changing the same to weekly papers and substituting therefor one or two large daily papers. Referred to Committee No. 1.

House Bill No. 17, introduced by Higgins, a Bill for an Act entitled: "An Act to provide a method of voting at any general election held within the State of Montana by duly qualified and registered electors absent from the county within which such electors reside, and who are in the actual military service of the State of Montana or the Government of the United States or in the actual service of the National Red Cross Association, the Young Men's Christian Association, the Young Women's Christian Association, the Knights of Columbus, or any similar organization auxiliary to the army and navy and recognized by the Government of the United States, and providing penalties for the violation of the provisions of this Act." Referred to Committee No. 2.

Committee on Printing made the following report.

Mr. Speaker: We, your Committee on Printing beg leave to report the following Bills correctly printed: House Bills Nos. 1, 5, 7, 8 and 10, House Joint Resolution No. 2, and House Joint Memorial No. 1.

Report adopted.

HURD, Chairman.

The following Senate Bills were read first and second time, and referred to the following committees:

Senate Bill No. 1, introduced by Williams, a Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, providing a penalty for the violations, and appropriating money for carrying out the purposes thereof. Referred to Committee No. 2.

Senate Bill No. 3, by Edwards, a Bill for an Act entitled: An Act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war. Referred to Committee No. 3.

Senate Joint Resolution No. 1, introduced by Annin, a Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors. Referred to Committee No. 4.

Substitute for House Joint Resolution No. 3, introduced by Harbert, Mason and Larse, a resolution memorializing Congress for an appropriation of Seven Hundred Fifty Thousand Dollars for the Flathead Irrigation project for the ensuing year. Referred to Committee No. 4.

On motion of Mason the House reverted to Order of Business No. 5.

INTRODUCTION OF BILLS.

Mason was given the unanimous consent of the House to introduce a Bill without previous notice.

House Bill No. 18, introduced by Mason. A Bill for an Act entitled: "An Act appropriating the sum of Three Hundred Thousand Dollars to be expended

by the Montana Council of Defense in aiding and assisting the United States in carrying on and prosecuting of the war now existing between the United States and the German and Austrian empires; and designating the purpose for which such appropriation may be expended by the Montana Council of Defense; authorizing the Montana Council of Defense to make and adopt rules and regulations governing the expenditure of such money, and to enter into any and all contracts which the Montana Council of Defense may deem necessary and proper in connection with the expenditure thereof; and authorizing the State Board of Examiners to make temporary loans for such sum or sums as may be necessary to meet such appropriation when there is insufficient unappropriated money in the State Treasury for such purpose." Referred to Committee No. 1.

On motion of Mason the House recessed until 1:30 o'clock P. M.

AFTERNOON SESSION.

House resumed, pursuant to adjournment at 1:30 P. M.

Mr. Speaker in the chair.

The following communication was received from His Excellency, the Governor.

Mr. Speaker of the House of Representatives, Helena, Montana.

When the Bills for the printing done by the State Publishing Company under State contract, for the regular session of the Fifteenth Legislative Assembly were presented it was found that there was not sufficient money to pay them. There are unpaid at this time bills amounting to \$7,586.05.

These bills have been presented to the State Board of Examiners and allowed, but have not been paid because there was not a sufficient appropriation made by your Honorable Body. It was, of course, expected that they would be held as a deficiency until the next session of the Legislative Assembly.

In view of this fact, however, that your body is in session, and that it was your body that contracted the bills, it has occurred to me that you might care to take charge of the matter and make appropriation to cover them. I am therefore calling the same to your attention for such action as you may deem proper under the circumstances.

S. V. STEWART, Governor.

Referred to Committee No. 4.

Holt, Bernard, Larse and Higgins were given unanimous consent of the House to introduce a Bill without previous notice.

The following Bills were introduced:

House Joint Resolution No. 9 by Higgins.

HOUSE JOINT RESOLUTION NO. 9.

Introduced by Higgins.

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

Whereas, the United States of America is now engaged in war to stem the tide and destroy the existence of the autocratic military strength and the desire for world domination by the German Empire, and make possible the existence and the continuance of democracies; and

Whereas, the youth of the country between the ages of twenty-one and thirty-one years is being, and has been conscripted and induced into the military service of the nation, to fight such war, and has responded patriotically, cheerfully and sacrificially to the operation of the draft law passed for such purpose; and

Whereas, the people of this country in all walks of life have been called upon to render service and financial support to the military efforts of America and loyally have rendered and are rendering such service and support; and

Whereas, it will take a fabulous sum to carry the war to a successful conclusion, and it is axiomatic that such financial burden should be borne by those best able to give and by those who are deriving treasure out of the war; and

Whereas, there are persons in this country owning immense estates and possessed of great fortunes, and those who are becoming immensely rich through war profits;

THEREFORE, BE IT RESOLVED, By the Lower House of the Fifteenth

Legislative Assembly of the State of Montana, the Senate concurring that the members thereof register their wish and will be given their approval to a Bill by the United States Congress conscripting fortunes and estates in excess of one million dollars heretofore existing, and conscripting all profits now being made directly out of the war, thereby taking the money as well as the youth of the nation in our war efforts, and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent by the Secretary of the State of Montana, by registered mail, to the President of the United States Senate and the Speaker of the House of Representatives of the United States, with the request to such that it be read before both such bodies. Referred to Committee No. 1.

House Bill No. 10, by Bernard, a Bill for an Act entitled "An Act concerning the Home Guard and making appropriation therefor." Referred to Committee No. 3.

Belden offered the following resolution.

RESOLUTION.

Be It Resolved by the House of Representatives: That no Bills originating in the House will be received or considered if presented or introduced after four o'clock P. M. this 18th day of February, 1918, unless by a majority vote of a quorum of the House, and that no member of the House accept or receive any compensation for services rendered as such member after Wednesday, the 20th, of February, 1918.

BELDEN.

Belden moved the adoption of the resolution.

Holt moved as a substitute that the resolution be adopted, but that the portion pertaining to the limit of time be stricken out.

Higgins arose to a point of order and demanded that the resolution be referred to a Committee on Rules.

Mason moved that the Speaker appoint a Special Committee on Rules. McMahon, Higgins and Belden were appointed as a Special Committee on Rules by Mr. Speaker.

Mr. Speaker: We, your Committee on Printing, beg leave to report House Bills Nos. 13, 14, 15 and 16 correctly printed.

Report adopted.

HURD, Chairman.

House Joint Resolution No. 10, introduced by Holt, a resolution petitioning Congress to take steps and measures to investigate the feasibility of constructing a spur track from the main line of the Great Northern railroad running through the City of Belt, State of Montana, to the coal fields lying on the east end of said city. Referred to Committee No. 1.

House Resolution No. 1, by Larse, a resolution memorializing Congress for the passage of Senate Bill No. 3439 in the interest of increased food production in the United States. Referred to Committee No. 3.

THIRD READING OF SENATE BILLS.

Senate Bill No. 3, having been read three several times, and title agreed to, was passed by the following vote:

Anderson, Oscar W., Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White. Total, 71.

THIRD READING OF HOUSE BILLS.

House Joint Resolution having been read three several times, was passed by the following vote:

Anderson, Oscar W., Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan,

Burnworth, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White. Total, 71.

Title agreed to, and Bill transmitted to the Senate for its concurrence.

Lemmon moved that the House revert to Order of Business No. 4. Reports of Standing Committees. Motion carried.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Joint Memorial No. 6, introduced by Henderson, Rainey and Belden, entitled: "A resolution memorializing Congress for the passage of proper legislation enabling the President to order railroads to make additions and improvements necessary for war purposes, and the public interest, and petitioning for an order directing the construction of the proposed line of the Great Northern Railway company from Richey in Dawson County to Winnett in Fergus County," having had the same under consideration beg leave to report the said memorial back to the House with the recommendation that it do pass.

Report adopted.

JOHNSON of Deer Lodge, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred Senate Joint Resolution No. 1, entitled, "A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors," having had the same under consideration beg leave to report the Bill back to the House with recommendation that the further consideration of the same be indefinitely postponed.

Report adopted.

ELIEL, Chairman.

Mr. Speaker: Committee No. 1, to whom was referred House Joint Resolution No. 7, introduced by Phelps, entitled: "A Joint Resolution relating to the farm crops raised in certain sections of the State of Montana, and that urgent need of legislation to provide transportation for same," having had same under consideration report back with a recommendation that it do not pass.

Report adopted.

LEMMON, Chairman.

Mr. Speaker: Committee No. 1, to whom was referred House Joint Resolution No. 8, introduced by Davis, entitled: "A Joint Resolution urging the newspapers and press generally throughout the State to eliminate duplication and repetition in the printing of news by discontinuing all daily papers or changing the same to weekly papers and substituting therefore one or two large daily papers."

Having had the same under consideration beg leave to report the same back with the recommendation that it do not pass.

Report adopted.

LEMMON, Chairman.

Mr. Speaker: We, your Committee No. 1, to whom was referred House Bill Number Eighteen (18), by Mason, entitled: "A Bill for an Act entitled an Act appropriating the sum of Three Hundred Thousand Dollars to be expended by the Montana Council of Defense in the aiding of and assisting of the prosecution of the war, etc." Having had same under consideration beg leave to report as follows:

That it be amended as follows: Amend the title by striking out the words Three Hundred Thousand and inserting in lieu thereof the words "Five Hundred Thousand."

Amend line one (1) Section One (1) by striking out the words Three Hundred Thousand and inserting in lieu thereof the words Five Hundred Thousand."

Amend Section Ten (10) line four (4) after the word empires by inserting the words "And all other enemies and to repel invasion and suppress insurrection."

Amend Section Four (4) line nine (9) by inserting after the word "rate" the words "not to exceed" and by striking out the word "of" before the figure six (6) per cent in said line.

And that as amended said Bill be reported back with the recommendation that it do pass.

Dated this 18th day of February A. D., 1918.

Report adopted.

LEMMON, Chairman.

REPORTS OF SPECIAL COMMITTEES.

McMahon of the Special Committee on Rules made the following report:

Mr. Speaker: We, your Select Committee, to whom was referred the following resolution, introduced by Belden: "Be It Resolved by the House of Representatives: That no Bills originating in the House will be received or considered if presented or introduced after four o'clock P. M. this 18th day of February, 1918, and that no member of the House accept or receive any compensation for services rendered as such member after Wednesday the 20th of February, 1918." Beg leave to report and recommend that the resolution be amended to read as follows:

"Be It Resolved by the House of Representatives: That no Bills originating in the House will be received or considered if presented or introduced after four o'clock P. M. this 18th day of February, 1918, unless by a majority vote of a quorum of the House, and that no member of the House accept or receive any compensation for services rendered as such member after Wednesday, the 20th of February, 1918," and as amended we recommend that the same be adopted.

McMAHON,
HIGGINS,
BELDEN.

McMahon moved the adoption of the report.

Holt, as a substitute motion, offered the following amendment:

Mr. Speaker: I move to amend the motion by striking out the last half in reference to the per diem of the members and inserting in lieu thereof the following: "The per diem due to each and every member of the House, during this special session, for services after Wednesday, February 20th, 1918, shall be donated to the Red Cross Association." Amendment lost, and report of Committee adopted.

Ashby offered the following Resolution No. 2, which was adopted by the House.

House Resolution No. 2, introduced by Ashby:

Whereas, Orville Anderson of Kalispell, Assistant Chief Clerk, and Douglass McCallum of Helena, Printing Clerk of this body in the Fifteenth Legislative Assembly are unable to attend this special session because they are serving their country in France in the armed forces of the United States; therefore, be it

RESOLVED, By the House of Representatives of the Fifteenth Legislative Assembly in special session assembled, that while we miss their presence and assistance, we are proud of the fact that attaches of this body are volunteers on the firing line, and that whatever duty calls them, we know that they will do their utmost to bring success to the arms of their country, and that in the battle for liberty and democracy their records will give additional reason for our pride in claiming them as sons of Montana.

Resolved, That a copy of these resolutions be sent by the Chief Clerk of the House, to Captain Orville Anderson, and Sergeant Douglass McCallum of the 163rd regiment now serving in France, together with the best wishes of this body for their success, well-being and safe return. Adopted.

On motion of McMahon the House reverted to order of business No. 4, reports of Standing Committees.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 2, having had under consideration House Bill No. 17, introduced by Higgins, a Bill for an Act entitled: "An Act to provide a method of voting at any general election held within the State of Montana by duly qualified and registered electors absent from the County within which such electors reside, and who are in the actual military service of the State of Montana or the Government of the United States or in the actual service of the National Red Cross Association, the Young Men's Christian

Association, the Young Women's Christian Association, the Knights of Columbus, or any similar organization auxiliary to the army and navy and recognized by the Government of the United States and providing penalties for the violation of the provisions of this Act." respectfully beg leave to report and recommend that the Bill be amended as follows:

Section 3, be amended by inserting after the word "residence" and before the word "of," the words "and precinct."

Section 7 be amended by inserting after the word "could" in next to the last line, the word "not," and as amended we recommend the same do pass.

Adopted.

McMAHON, Chairman.

Kelsey was given unanimous consent of the House to introduce a resolution without previous notice.

House Joint Resolution No. 11, introduced by Kelsey, a resolution memorializing Congress to enact legislation suggested by the Livestock Commission of the National Conservation Board with reference to the designation of public lands under the six hundred and forty acre homestead law during the duration of the war and for such a period thereafter as may be deemed necessary. Referred to Committee No. 1.

On motion of Lanstrum the House resolved itself in Committee of the Whole for the consideration of General Orders.

Lanstrum in the chair.

House resumed:

Mr. Speaker in the chair.

Lanstrum of the Committee of the Whole, having had under consideration House Bill No. 11, introduced by Rasmussen, a Bill for an Act, entitled: "An Act providing that taxes upon property owned by persons in the active military service of the United States shall be held in abeyance until the expiration of one year after the cessation of hostilities," recommend that the same be amended as follows:

Amend Section 1 by inserting after the word "hostilities" in line 5, the words, "or discharge from military or naval service."

Amend the title by inserting after the word "hostilities" the words "or discharge from military or naval service."

And as amended recommend that the same do pass.

Also, House Bill No. 12, introduced by James F. O'Connor, a Bill for an Act entitled, "An Act authorizing counties to incur indebtedness for the purpose of procuring feed grain for needy farmers, inhabitants thereof; providing for special elections for the purpose of submitting the question of incurring such indebtedness to the electors of such counties, when the amount of indebtedness necessary to be incurred for such purpose will exceed the sum of Ten Thousand Dollars, and the manner of calling and holding of such elections; providing for the issuance of warrants in payment of feed grain purchased by counties for such purpose; providing for the issuance and sale or exchange of bonds to fund warrant indebtedness incurred for such purpose; providing for the levying of taxes for the payments of warrants and bonds and interest thereon; providing for the distribution of such feed grain among needy farmers; providing for liens against the property of persons to whom feed grain has been furnished, and for the levying of taxes against property owned by such persons to secure payment of such liens and providing for penalties for violations of the provisions of this act," recommend the same be amended as follows:

That the word "grain" be stricken out of lines 2, 9, 14 and 16 of the title. That wherever the words "Feed Grain" appear in the title, that the word grain be stricken out.

Amend Section 23 by adding thereto the following: "Provided, however, that such feed lien shall not apply to or be prior or superior to renewals of mortgages, which mortgages are prior liens at the time such feed lien attaches."

Amend Section 6 in line 64 hereof, after the word "County" the words "if such newspaper be published weekly, but if published daily then in eight successive insertions thereof."

That wherever the word "feed" appears in the title or body of House Bill No. 12 the words "for livestock" be inserted immediately following the word "feed."

And as amended recommend that the same do pass.

Also, House Bill No. 13, introduced by Belden, an Act to amend Sections One and Two of Chapter Twenty-three of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to a lien upon growing crops and grains threshed therefrom for the purchase price of the seed and grain purchased for the production or cultivation of such crop and to add thereto an additional section to be known as section four thereof" having had the same under consideration, recommend that the same be amended as follows:

Amend Section 1 by inserting after the numerical "1" on line one, the following: "That Chapter 23 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana be and the same is hereby amended so as to read as follows: "Section 1."

And as amended recommend that the same do pass.

Also House Bill No. 16, introduced by Belden: A Bill for an Act entitled, "An Act to amend Section One of Chapter 169 of the Laws of the Fifteenth Legislative Assembly of the State of Montana entitled 'An Act to create a State Board of Hail Insurance; defining the duties and powers of said Board, and of public officers in connection therewith; providing for the levy and collection of taxes on all lands subject to injury or destruction by hail of all taxpayers who may elect to become subject to the provisions of this Act; providing for a hail insurance fund; providing for the appointment of appraisers, the appraisal and adjustment of losses, and the settlement therefor; and repealing all Acts which may in any way conflict with this Act.'" Approved March 14, 1907, recommend that the same be amended as follows:

Amend Section 1, line 15, after the word "Act" by inserting the words: "And shall have charge of said department as herein provided for."

And as amended recommend that the same do pass.

Also House Bill No. 9, introduced by Larse: A Bill for an Act to provide a period in each year to be known as a closed season during which time it shall be unlawful for any person or persons to set out or cause to be set out fires for the burning of brush, brush heaps, slashings, down or fallen timber, grass or weeds, or any inflammable material, for the purpose of disposing of such material or for the purpose of clearing any land, and providing a penalty for the violation thereof," recommend that the same be amended as follows:

Insert after the word "land" in line 5 the following: "Without first obtaining permission so to do under regulations prescribed by the State Forester." And as amended recommend that the same do pass.

Also House Joint Resolution No. 2, introduced by Kemmis:

A Joint Resolution ratifying an amendment to the Constitution of the United States, prohibiting the manufacture, sale and transportation of intoxicating liquors." Report same back with the recommendation that it do pass.

Also House Joint Resolution No. 4, introduced by C. F. Holt: "A resolution memorializing Congress for the passage of an Act regulating and fixing the price on all grains and cereals in the same manner and by the same method as the price of wheat is fixed and regulated." Having had the same under consideration, recommend that it do pass.

Also House Joint Resolution No. 5, introduced by Sand: "A Resolution memorializing Congress for the passage of legislation and appropriations to in some manner alleviate the seed grain and feed shortage in the state of Montana, wherein it is impossible for the counties of the State of Montana to avail themselves of the relief which the state can provide," having had the same under consideration, recommend that it be referred to General Orders.

Also House Bill No. 14, introduced by Eliel: A Bill for an Act entitled: "An Act appropriating money for farmers' institutes, Farmers' extension work, and bureau of agriculture and publicity, for the period beginning March 1st, 1918, and ending February 28th, 1919," having had same under consideration, recommend that it do pass.

Also, House Bill No. 15, introduced by Cotter: A Bill for an Act entitled, "An Act providing a penalty for manufacturing, compounding, buying, selling, transporting, or having possession of any maxim silencer, bombs, nitro-glycerin, powder, or any other explosive compound, with intent that the same shall be used for the injury to or destruction of persons or property, providing that all persons aiding, abetting or assisting in the same shall be deemed principals, and providing that possession of certain of the same shall be presumptive evi-

dence of guilt," having had the same under consideration, recommend that it do pass. Report adopted.

THIRD READING OF HOUSE BILLS.

House Bill No. 6, by Higgins, having been read three several times at length and title agreed to was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 76. Noes, none.

Eliel was granted unanimous consent of the House to introduce a Bill without previous notice.

INTRODUCTION OF BILLS.

House Bill No. 20, introduced by Eliel. An Act appropriating money for the payment of the claim of the State Publishing Company, which claim was approved by the State Board of Examiners. Referred to Committee No. 4.

On motion of McMahon the House reverted to Order of Business No. 4, reports of Standing Committees.

Mr. Speaker: We, your Committee No. 2, to whom was referred Senate Bill No. 1, introduced by Williams, "A Bill for an Act providing for the creation and appointment of the Montana Council of Defense and County Councils, defining their powers and duties, providing a penalty for violations and appropriating money for carrying out the purposes thereof," having had same under consideration, beg leave to report and recommend that same be concurred in.

McMAHON, Chairman.

Report adopted.

On motion of Lemmon the House recessed for thirty minutes.

House resumed.

Mr. Speaker in the chair.

The following communication was received from His Excellency the Governor:

Helena, February 18, 1918.

The Speaker of the House of Representatives, Helena, Montana.

Your attention is directed to the fact that money was not provided by an appropriation at the regular session of the Fifteenth Legislative Assembly to provide for the payment of the parts of salaries of county attorneys chargeable against the State of Montana. Some of these county attorneys have money due for the month of December, 1916, and a great many for January and February, 1917. An appropriation may properly be made by this special session of the Legislative Assembly to cover said matters.

(Sgd.) S. V. STEWART, Governor.

Helena, February 18, 1918.

The Speaker of the House of Representatives, Helena, Montana.

I am advised that there is pending at this session a measure intending to provide a penalty for manufacturing, selling, or having possession of Maxim silencers, bombs, or other explosives and destructive agencies.

It is possible that, strictly speaking, such proposed legislation does not come within the purview of either my proclamation calling the extraordinary session or my address to your honorable body.

I therefore deem it advisable to thus officially address you upon the subject and recommend the consideration of such proposed legislation, in order that there may be no question as to the authority of the Assembly to consider and pass such measure in the event that it so desires.

(Sgd.) S. V. STEWART, Governor.

On motion of McMahon the House reverted to Order of Business No. 6, Motions and resolutions.

Mr. Speaker: I move that a select committee of three members of the House, be appointed by the chair, to confer with a like committee of the Senate, to arrange or set a day for the adjournment of the joint session, and that the House members be instructed to use their best efforts to arrange for an adjournment of the extraordinary session of the Fifteenth Legislative Assembly, as early as possible, and in any event, not later than Wednesday, February 20th, 1918.

McMAHON.

Carried.

Mr. Speaker named as the committee McMahon, Rasmussen and Lemmon.

On motion of Gould, House Joint Resolution No. 2, House Bill No. 11, House Joint Resolution No. 4, House Bill No. 13, House Bill No. 14, House Bill No. 15, House Bill No. 16, and House Bill No. 9, were considered correctly engrossed, and considered read at length, with the exception of appropriation Bill and placed on General Orders.

THIRD READING OF HOUSE BILLS.

House Joint Resolution No. 2, having been read three several times was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total ayes, 67.

Noes: Duffy, Grimes, Jensen, Prosser, Quaintance, Searles, Ward. Total noes, 7.

Gullidge was given unanimous consent of the House to introduce a Bill without previous notice.

INTRODUCTION OF BILLS.

House Bill No. 21, introduced by Gullidge, a Bill for an Act entitled: An Act providing for the payment of deficiency claim of County Attorneys. Referred to Committee No. 4.

THIRD READING OF HOUSE BILLS.

House Bill No. 11 having been read three several times and title agreed to was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Brooks, Buell of Missoula, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 74. Noes, none.

House Joint Resolution No. 4, having been read three several times was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, Mason, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Rainey,

Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 76.

Noes: Baxter, Kehoe, Kelsey, McDonald. Total, 4.

House Bill No. 13, having been read three several times and title agreed to was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 78.

Noes: Grimes.

House Bill No. 14, having been read three several times, and title agreed to, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 83. Noes, none.

House Bill No. 15, having been read three several times and title agreed to, was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 80. Noes, none.

House Joint Resolution No. 5 read three several times and title agreed to, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 82. Noes, none.

House Bill No. 9, having been read three several times and title agreed to, was passed by the following vote.

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon,

Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 82. Noes, none.

House Bill No. 12, having been read three several times and title agreed to, was passed by the following vote:

Anderson, Charles W.; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 85.

On motion of Johnson the House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee Number Four, to whom was referred House Bill Number Twenty, entitled: "A Bill for an Act appropriating money for the payment of claim of the State Publishing Company, which claim was approved by the State Board of Examiners," having had the same under consideration, beg leave to report the same back to the House with the recommendation that it do pass.

ELIEL, Chairman.

Adopted.

Mr. Speaker: We, your Committee Number Three, to whom was referred Senate Bill No. 3, introduced by Edwards, a Bill for an Act entitled: "An Act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war," having had the same under consideration beg leave to report the said bill back to the House with the recommendation that it be concurred in.

JOHNSON of Deer Lodge, Chairman.

Adopted.

Mr. Speaker: We, your Committee Number Three, to whom was referred House Bill No. 19, introduced by Bernard, a Bill for an Act entitled: "An Act concerning the Home Guard and making appropriation therefor," having had the same under consideration beg leave to report the said Bill back to the House with the recommendation that it be referred to the Joint Committee of the House and Senate for their consideration.

JOHNSON of Deer Lodge, Chairman.

Adopted.

Mr. Speaker: We, your Committee No. Three, to whom was referred Resolution No. 1, "A Resolution memorializing Congress for the passage of Senate Bill No. 3439, in the interest and increased food production in the United States" introduced by Larse, having had the same under consideration, beg leave to report the said resolution back to the House with the recommendation that it do pass.

JOHNSON of Deer Lodge, Chairman.

Adopted.

On motion of Rasmussen the resolution was adopted. Resolution:

A resolution memorializing Congress for the passage of Senate Bill No. 3439, in the interest of increased food production in the United States:

WHEREAS, The Government of the United States is in need of increased production along all lines, and particularly increased production in food stuffs, for the purpose of successfully prosecuting the war; and

WHEREAS, There are now more than one hundred thousand homestead settlers in the Northwest, many of whom, on account of the short crop of 1917, are without seed grain and have not sufficient credit to purchase such seed, and have not sufficient credit to enable them to live and carry on their farming operations until the crop of 1918 shall have been harvested, and

WHEREAS, The granting of title to such settlers will enable them to borrow sufficient funds to carry on their farming operations and will add many millions of bushels to the production of grain and other food products in 1918;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, the Senate concurring herein, that we petition the Congress of the United States to pass Senate Bill No. 3439, introduced by the Honorable Henry L. Meyers, United States Senator from the State of Montana, which Bill is a Bill for the relief of homesteaders and desert land entrymen in the United States;

RESOLVED FURTHER, That a copy of this memorial be forwarded by the Secretary of the State of Montana to the Senate of the United States.

AND that a copy of this memorial be forwarded by the Secretary of the State of Montana to the House of Representatives of the United States;

AND BE IT FURTHER RESOLVED that a copy hereof be transmitted by the Secretary of the State of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

Gould moved that House Bill No. 12 be considered correctly engrossed and placed on third reading. Motion carried.

On motion of Larse, the House recessed for fifteen minutes.

House resumed.

Mr. Speaker in the chair.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee Number Four, to whom was referred House Bill Number Twenty-one, introduced by Gullidge, entitled: "A Bill for an Act entitled an Act providing for the payment of deficiency claims of county attorneys, having had the same under consideration, beg leave to report said Bill back to the House and recommend that the same do pass.

We further recommend that the blank in Section One be filled by inserting the words and figures "Three Thousand Nine Hundred and Fifty-nine and 28 /100 Dollars (\$3,959.28)."

ELIEL.

Adopted.

Mr. Speaker: Your Committee No. 1, to whom was referred House Joint Resolution No. 11, introduced by Kelsey, entitled a resolution memorializing Congress to enact legislation suggested by the Live Stock Committee of the National Conservation Board with reference to the designation of public lands, etc., having had same under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

LEMMON, Chairman.

Adopted.

Mr. Speaker: We, your Committee No. k, to whom was referred House Joint Resolution No. 10, introduced by Holt, entitled, "A resolution petitioning Congress to take steps and measures to investigate the feasibility of constructing a spur track from the main line of the Great Northern Railway Company, running through the City of Belt, State of Montana, to the coal fields lying on the east of said city, having had same under consideration beg leave to report same back with the recommendation that the same do pass.

LEMMON, Chairman.

Adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred Substitute Joint Resolution No. 3, introduced by Harbert, Mason and Larse, being a resolution memorializing Congress for an appropriation of Seven Hundred Fifty Thousand Dollars for the Flathead Irrigation project for the ensuing year, beg to report the same as properly enrolled.

CROWLEY, Chairman.

Adopted.

Mr. Speaker: We, a majority of Committee No. 1, to whom was referred House Joint Resolution No. 9, introduced by Higgins, "A resolution memorializ-

ing Congress to enact legislation for the conscription of fortunes and estates in excess of one million dollars and all profits now being made directly out of the war, etc.," having had the same under consideration beg leave to report back with the recommendation that it do not pass.

LEMMON, Chairman.

Mr. Speaker: We, a minority of the Committee No. 1, hereby respectfully submit the following report on House Joint Resolution No. 9; that said resolution be amended as follows, and as amended be recommended for passage:

Amend by striking out the following words in lines 5 and 6 on page 2 "In excess of one million dollars" and in line 7 of page 2 inserting the following words after the word "war," "upon a basis that will only yield a fair and reasonable return upon the investment."

(Signed) HIGGINS,
MASON,
HARBERT,
HOLT,
WHITE,
LEWIS,
ARNESON.

Lemmon moved the adoption of the majority report.

As a substitute motion Higgins moved the adoption of the minority report.

A roll call being demanded the minority report was adopted by the following vote:

Ayes: Arneson, Baldwin, Belden, Bent, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Cotter, Crismas, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Jones, Kemmis, Lanstrum, Lewis, McClory, McMillan, Mason, Middleton, Morrow, O'Brien, Page, Phelps, Rasmussen, Sand, Searles, Sektnan, Stimpert, Ward, Weil, White, Mr. Speaker. Total, 52.

Noes: Anderson, Charles; Anderson, Oscar W.; Ashby, Ball, Baxter, Bernard, Burnworth, Carll, Connolly, Crowley, Demel, Eliel, Fishbaugh, Gould, Henry, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Larse, Lemmon, McMahon, Morris, Prosser, Rainey, Scott, Spain, Wheat. Total, 30.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 2, by Muffly. A Bill for an Act entitled: "An Act defining criminal syndicalism, and the word sabotage; prohibiting the advocacy, teaching, or suggestion of crime, violence or the commission of any unlawful act or thing as a means to accomplish industrial or political ends, change or revolution and prohibiting assemblages for the purpose of such advocacy, teachings or suggestions; declaring it unlawful to permit the use of any place, building, rooms, or premises for such assemblage in certain cases; and providing penalties for the violation thereof."

Read first and second time and referred to Committee No. 2.

Mr. Speaker gave notice that he was about to sign substitute for House Joint Resolution No. 3.

Mr. Speaker: We, your Committee No. 2, to whom was referred Senate Bill No. 1, introduced by Williams, a Bill for an Act providing for the creation and appointment of the Montana Council of Defense and County Councils, defining their powers and duties, providing a penalty for violation and appropriating money for carrying out the purposes thereof, having had the same under consideration beg leave to report same and recommend that the same be concurred in.

(Signed) McMAHON, Chairman.

McMahon moved that Senate Bill No. 1 be placed on General Orders. Carried.

McMahon moved that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders. Carried.

Mason in the chair.

GENERAL ORDERS.

House resumed.

Mr. Speaker in the chair.

Mason of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole having had under consideration Senate Bill No. 1, introduced by Williams, a Bill for an Act providing for the creation and appointment of the Montana Council of Defense, defining its powers and duties, providing a penalty for violations, and appropriating money for carrying out the purposes thereof," recommend that the same be concurred in.

MASON, Chairman.

Report adopted.

On motion of McMahon the House reverted to Order of Business No. 8.

THIRD READING OF SENATE BILLS.

Senate Bill No. 1, having been read three several times, and title agreed to, was concurred in by the following vote.

Ayes: Anderson, Charles; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 80.

The senate amendments to House Joint Memorial No. 1 were concurred in by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 80.

The Senate Amendments to House Bill No. 4 were concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 79.

On motion of Lanstrum, the House adjourned until 10 o'clock A. M., Tuesday morning, February 19th, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

SIXTH DAY

February 19, 1918.

House resumed, pursuant to adjournment, at 10 o'clock A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll call. All members present.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Fifth day and find the same correct.

BLODGETT, Chairman.

Report adopted.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 4, by Stevens, a Bill for an Act entitled: "An Act providing for the registration of all fire arms and weapons and regulating the sale thereof and defining the duties of certain county officers and providing penalties for a violation of the provisions of this Act," read first and second times and referred to Committee No. 3.

Senate Bill No. 5, by Muffly. A Bill for an Act entitled: "An Act to amend Section 8612 of the Revised Codes of Montana, 1907, relating to arson," read first and second times and referred to Committee No. 3.

Senate Bill No. 6, by Muffly. A Bill for an Act entitled: "An Act to amend Section 8749 of the Revised Codes of Montana, 1907, concerning the destruction or injury to buildings by the use of explosives," read first and second times, and referred to Committee No. 2.

Kehoe moved that House Bill No. 10 be referred to the General Conference Committee. Motion carried.

On motion of McMahon the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Eliel in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 1, by Crismas, a Bill for an Act entitled: "An Act defining the crime of sedition, and to prescribe punishment therefor, and declaring this act to be merely an emergency law necessary for the preservation of public peace and safety, recommend that the same be referred to General Conference Committee.

Also, Senate Bill No. 3, by Edwards, a Bill for an Act entitled: "An Act to extend protection to the civil rights of members of the military and naval establishments of the United States engaged in the present war, having had the same under consideration, recommend that it be concurred in.

ELIEL, Chairman.

Report adopted.

On motion of McMahon the House recessed until 11 o'clock A. M.

House resumed.

Mr. Speaker in the chair.

THIRD READING OF HOUSE BILLS.

House Joint Resolution No. 1, having been read three several times, and passed by the following vote:

Ayes: Anderson, Oscar W.; Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien,

Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White. Total, 71. Noes, none.

Title agreed to.

On motion of Johnson the House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee Number Three, to whom was referred Senate Bill No. 4, introduced by Stevens, a Bill for an Act entitled: "An Act providing for the registration of all fire arms and weapons and regulating the sale thereof and defining the duties of certain county officers and providing penalties for a violation of the provisions of this Act," having had the same under consideration, beg leave to report the said Bill back to the House with the recommendation that it be concurred in.

JOHNSON of Deer Lodge, Chairman.

Adopted.

Mr. Speaker: We, your Committee Number Three, to whom was referred Senate Bill No. 5, introduced by Muffly, a Bill for an Act entitled: "An Act to amend Section 8612 of the Revised Codes of Montana, 1907, relating to arson," having had the same under consideration, beg leave to report said Bill back to the House with the recommendation that it be concurred in.

JOHNSON of Deer Lodge, Chairman.

Adopted.

Mr. Speaker: We, your Committee No. 2, having had under consideration House Bill No. 2, introduced by Stimpert, a Bill for an Act entitled: "An Act defining the crime of criminal syndicalism, and describing the punishment thereof," respectfully beg leave to report and recommend that the Bill do not pass.

BAXTER, Chairman.

Adopted.

Mr. Speaker: We, your Committee No. 2, having had under consideration Senate Bill No. 2, introduced by Muffly, a Bill for an Act entitled: "An Act defining criminal syndicalism, and the word sabotage; prohibiting the advocacy, teaching or suggestion of crime, violence or the commission of any unlawful act or thing as a means to accomplish industrial or political ends, change or revolution; and prohibiting assemblages for the purpose of such advocacy, teaching or suggestions; declaring it unlawful to permit the use of any place, building, rooms or premises for such violation thereof," respectfully beg leave to report and recommend that the Bill be amended as follows:

By striking out all of Section 6 and renumbering the subsequent sections to comply therewith, and as amended we recommend that the same do pass.

BAXTER, Chairman.

Adopted.

On motion of Mason the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Lemmon in the Chair.

House resumed.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 4, by Stevens, a Bill for an Act entitled: "An Act providing for the registration of all fire arms and weapons and regulating the sale thereof and defining the duties of certain county officers and providing penalties for a violation of the provisions of this Act," recommend that the same be amended as follows:

Amend Section 2, sub-division 2, line 14, to add after the word "weapons" the following: "Manufacturer's name, manufacturer's number..... Calibre..... and where possible date and manufacturer's series."

Amend Section 1, line 4 by adding thereto the following: "and on the sale or transfer into the possession of any other person such person shall immediately forward to the Sheriff of the county in which such person lives the name and address of the purchaser and person into whose possession or control such firearm

or weapon was delivered," and as amended recommend that the Bill be concurred in.

Also, Senate Bill No. 5, by Muffy, a Bill for an Act entitled: "An Act to amend Section 8612 of the Revised Codes, 1907, relating to arson," having had the same under consideration, recommend that it be concurred in.

Also, Senate Bill No. 2, by Muffy, a Bill for an Act entitled: "An Act defining criminal syndicalism, and the word sabotage; prohibiting the advocacy, teaching or suggesting thereof; and prohibiting the advocacy, teaching or suggestion of crime, violence or the commission of any unlawful act or thing as a means to accomplish industrial or political ends, change or revolution and prohibiting assemblages for the purposes of such advocacy, teachings or suggestions; declaring it unlawful to permit the use of any place, building, rooms or premises for such assemblage in certain cases; and providing penalties for the violation thereof," having had the same under consideration, recommend that it be amended as follows:

Strike out "wilfully or deliberately" in line 24 and insert "attempt to" before the word "justify."

And as amended recommend that it be concurred in.

LEMMON, Chairman.

Report adopted.

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 7 and 8, introduced by Eliel, report the same as being correctly enrolled.

CROWLEY, Chairman.

Mr. Speaker gave notice he was about to sign House Bill No. 7 and House Bill No. 8.

Mr. Speaker: We, your Committee on Printing, beg leave to report House Bills Nos. 17, 18, 19 and correctly printed.

HURD, Chairman.

On motion of McMahon, the House reverted to Order of Business No. 3, reports of Select Committees.

REPORTS OF SELECT COMMITTEES.

Mr. Speaker: We, your committee appointed to confer with a like committee of the Senate to whom was referred House Bill No. 10, introduced by O'Connor, beg leave to report as follows:

Amend Section 20, by inserting in line 173 after the word "crops" the words "or other misfortunes," and as amended recommend the Bill do pass, and that the Senate amendments pertaining to other sections be concurred in.

McMAHON, Chairman.

Adopted.

Mr. Speaker: We, your committee appointed to confer with a like committee of the Senate, to whom was referred House Bill No. 1, introduced by Crismas, beg leave to report as follows:

Amend Section 2 by striking out the third line of said section the figures "\$500.00" and inserting in lieu thereof the figures "\$200.00" and after the word "than" in line 3 of Section 2 strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$20,000.00" and in line 4 of Section 2 after the word "than" strike out the word "ten" and insert in lieu thereof the word "twenty," and to Section 2 add the following: "In the event of a fine imposed for violation of any of the provisions of this Act and not paid, the guilty person shall be imprisoned for a period represented by credit of \$2.00 per day until the amount of the fine is fully paid."

McMAHON, Chairman.

Adopted.

The amendments proposed to House Bill No. 1 by the Joint Conference Committee, were concurred in by the House by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway,

Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 79.

The amendments proposed to House Bill No. 10 by the Joint Conference Committee, were concurred in by the following vote by the House:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, Mason, Middleton, Morris, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 75.

House Bills Nos. 1 and 10 were transmitted to the Senate for concurrence in the amendments proposed by the Joint Conference Committee.

THIRD READING OF SENATE BILLS.

Senate Bill No. 4, having been read three several times, was concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 72.

Noes: Kemmis.

Title agreed to and Bill returned to the Senate.

Senate Bill No. 5, having been read three several times, was concurred in by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 77.

Title agreed to and Bill returned to the Senate.

Senate Bill No. 2, having been read three several times, was concurred in, as amended by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 80.

Title agreed to and Bill transmitted to the Senate for concurrence in House amendments.

On motion of Belden, the House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS.

Belden moved that the unanimous consent of the House be given, and that the motion of yesterday be suspended for the introduction of Bills. Carried.

Mason was given the unanimous consent of the House to introduce a Bill without previous notice.

INTRODUCTION OF BILLS.

House Bill No. 22, by Belden, a Bill for an Act to appropriate the sum of Three Thousand Dollars for the purpose of paying the incidental expenses of the extraordinary session of the Fifteenth Legislative Assembly of the State of Montana.

Referred to Committee No. 4.

House Bill No. 23, by Mason, a Bill for an Act entitled: "An Act to appropriate the sum of Five Hundred Dollars (\$500.00) for the purpose of paying for the printing and distribution of advance sheets of the laws passed by the extraordinary session of the Fifteenth Legislative Assembly."

Referred to Committee No. 4.

On motion of McMahon the House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

House resumed.

Mr. Speaker in the chair.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 2, having had under consideration Senate Bill No. 6, introduced by Muffly, a Bill for an Act entitled: "An Act to amend Section 8749 of the Revised Codes of Montana, 1907, concerning the destruction of or injury to buildings by the use of explosives," respectfully beg leave to report and recommend that the same be concurred in.

McMAHON, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 22, entitled: "A Bill for an Act to appropriate the sum of Three Thousand Dollars for the purpose of paying the incidental expenses of the extraordinary session of the Fifteenth Legislative Assembly of the State of Montana, having had the same under consideration, beg leave to report said Bill back to the House with the recommendation that it do pass.

ELIEL, Chairman.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 23, entitled: A Bill for an Act entitled, "An Act to appropriate the sum of Five Hundred Dollars for the purpose of paying for the printing and distribution of advance sheets of the Fifteenth Legislative Assembly, having had the same under consideration, beg leave to report said Bill back to the House with the recommendation that it do pass.

ELIEL, Chairman.

Adopted.

On motion of Eliel the House resolved itself into the Committee of the Whole for the consideration of General Orders:

GENERAL ORDERS.

Hathaway in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 17, introduced by Higgins, a Bill for an Act entitled: "An Act to provide a method of voting at any general election held within the State of Montana by duly qualified and registered electors absent from the county within which such electors reside, and who are in the actual military service of the State of Montana or the Government of the United States or in the actual service of the National Red Cross Association, the Young Men's Christian Association, the Young Women's Christian Association, the Knights of Columbus, or any similar organization auxiliary to the Army and Navy and recognized by the Government of the United States, and providing penalties

for the violation of the provisions of this act," recommend that the same be amended as follows:

Amend Section 9, line 93, by striking out "Either of us," and insert in lieu thereof "me."

Amend Section 6 by eliminating the word "two" in line 65 and insert in lieu thereof the word "one," and insert in line 66 after the word kind "for each of said voters."

And as amended recommend that it do pass.

HATHAWAY, Chairman.

Report adopted.

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor:

February 19, 1918, at 1:40 P. M., House Bills Nos. 7 and 8, and Substitute Joint House Resolution No. 3.

CROWLEY, Chairman.

The following communication was received from the Governor:
The Speaker of the House of Representatives, Helena, Mont.

Charges have been filed with me touching the qualifications of the Honorable Charles L. Crum, District Judge of the Fifteenth Judicial District of the State of Montana. Said charges go to the qualifications of said Judge and have to do with his personal fitness and official integrity.

I am transmitting the charges herewith in the form of affidavit, just as they were filed with me. They are submitted to the Legislative Assembly of the State of Montana, for appropriate consideration. Under the Constitution it is your duty to consider the charges first and this message is transmitted, together with the affidavits, as your authority for doing so.

Affidavits of the following named individuals are transmitted herewith to-wit:

W. H. Lyndes, Jack McCausland, Henry Grierson, I. M. Gibson, C. A. Klinge, Gudleik Flege, Gus Gullickson, P. J. E. Wood, J. H. Ivy, E. C. Bussert, F. V. H. Collins and Felkner Haynes, and also a telegram received by me yesterday from Dr. W. H. Buskirk of Miles City, relative to the whereabouts of Judge Crum.

S. V. STEWART, Governor.

Mr. Speaker appointed the following members as a special committee to act upon the matter contained in the Governor's message: Belden, Andrews, Blodgett, Demel, Cotter, Higgins, Holt, Lewis, McClory, Mason, Ward, Anderson (Charles).

Sand moved that House Joint Resolution No. 5 be placed on General Orders. Carried.

McMahon moved that the House do now resolve itself into Committee of the Whole. Carried.

Mr. Speaker: We, your Committee on Printing, beg leave to report House Bills Nos. 21, 22 and 23, House Joint Resolutions Nos. 9 and 10 and House Joint Memorial No. 6 correctly printed.

HURD, Chairman.

On motion the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Hathaway in the chair.

House resumed.

Mr. Speaker in the chair.

Hathaway, Chairman of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 19, by Bernard, a Bill for an Act entitled: "An Act concerning the Home Guard and making appropriation therefor," having had the same under consideration, recommend that it be amended as follows:

Amend Section 9 by inserting in line 40 after the word "war" the following: "Said Home Guard shall disband and cease to exist and," and as amended recommend that it do pass.

Also, House Bill No. 20, by Eliel, a Bill for an Act appropriating money for the payment of the claim of the State Publishing Company, which claim

was approved by the State Board of Examiners, having had the same under consideration, recommend that it do pass.

Also, Senate Bill No. 6, by Muffly, a Bill for an Act entitled: "An Act to amend Section 8749 of the Revised Codes of Montana, 1907, concerning the destruction or injury to buildings by the use of explosives," having had the same under consideration recommend that it be concurred in.

Also, House Bill No. 18, by Mason, a Bill for an Act entitled: "An Act appropriating the sum of Five Hundred Thousand Dollars to be expended by the Montana Council of Defense in aiding and assisting the United States in the carrying on and prosecuting of the war now existing between the United States and the German and Austrian empires; designating the purposes for which such appropriation may be expended by the Montana Council of Defense; authorizing the Montana Council of Defense to make and adopt rules and regulations governing the expenditure of such money, and to enter into any and all contracts which the Montana Council of Defense may deem necessary and proper in connection with the expenditure thereof; and authorizing the State Board of Examiners to make temporary loans for such sum or sums as may be necessary to meet such appropriation when there is insufficient unappropriated money in the State Treasury for such purpose," having had the same under consideration, recommend that it be amended as follows:

Amend Section One of House Bill 18 so that said section will read as follows:

"Section 1. The Board of Examiners of the State of Montana is hereby authorized and empowered to borrow any sum of money in an amount not exceeding five hundred thousand dollars upon the credit of the State of Montana and there is hereby appropriated five hundred thousand dollars out of the receipts of any such loan or loans so made, for the purpose of aiding and assisting the United States in carrying on and prosecuting the war and for repelling invasion and suppressing insurrection.

Re-referred to Committee No. 1.

Also House Joint Resolution No. 5, by Sand, a resolution memorializing Congress for the passage of legislation and appropriations to in some manner alleviate the seed grain and feed shortage in the State of Montana wherein it is impossible for the counties of the State of Montana to avail themselves of the relief which the state can provide," having had the same under consideration, recommend that it be amended as follows:

In line 3 of the printed resolution after the word "do" insert the following words: "yet because of the limit of indebtedness which a county may incur under the Constitution of the State of Montana," and as amended recommend that it do pass.

HATHAWAY, Chairman.

Report adopted.

COMMUNICATIONS FROM THE SENATE.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 16, introduced by Belden, relating to hail insurance, was this day read a third time and concurred in as amended, title agreed to, and same is herewith returned to the House for concurrence in Senate amendments.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 11, introduced by Rasmussen, relating to taxation of property owned by persons in active military service of the United States, was this day read third time, concurred in as amended, title agreed to as amended, and is herewith transmitted to the House for concurrence in Senate amendments.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 7, introduced by Muffly, was this day read third time, and passed, title agreed to, and is herewith transmitted to House for concurrence.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 1, introduced by Mason, was this day read third time, concurred in, title agreed to and the same is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 1, introduced by Crismas, relating to sedition, was this day read a third time, concurred in committee amendments, and is herewith returned to the House.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read a third time, concurred in, titles agreed to, and same are herewith returned to the House:

House Bill No. 13, introduced by Belden.

House Bill No. 15, introduced by Cotter.

House Bill No. 6, introduced by Higgins.

House Bill No. 14, introduced by Eliel.

House Joint Resolution No. 2, introduced by Kemmis.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 10, introduced by O'Connor, the Senate this day concurred in Conference committee amendments. Bill is herewith returned to the House.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 9, introduced by Larse, relating to the burning of brush, brush heaps, etc., was this day reported from the committee with the recommendation that it be not concurred in. Same is herewith returned to the House.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly seconded, House Bill No. 9, is hereby recalled for further consideration by the Senate.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, to whom was referred House Joint Resolution No. 4, introduced by C. F. Holt, having had the same under consideration, recommend that the same be amended as per amendments attached, and as amended recommend that the resolution be concurred in.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. President: Your Committee on Finance and Claims, to whom was referred House Joint Resolution No. 4, introduced by C. F. Holt, being "A resolution memorializing Congress for the passage of an Act regulating and fixing the price on all grains and cereals in the same manner and by the same method as the price of wheat is fixed and regulated," having had the same under consideration, recommend that it be amended as follows:

Strike out all of said resolution after the word "Congress" in the first line of the title, and substitute the following therefor: To vest in the President such authority as may be necessary to regulate the production, distribution and price of commodities necessary for the production of the cereal crops of the nation.

WHEREAS, Farm implements, grain sacks, binding twine and other commodities necessary for the production of wheat and other cereals have increased in price from fifty to four hundred per cent; and

WHEREAS, There is either an actual or artificial shortage of some of these commodities; and

WHEREAS, This condition threatens to lessen the food production of the nation;

NOW THEREFORE, BE IT RESOLVED, That we petition the Congress of the United States to vest in the President such authority as may be necessary to regulate the production, distribution and price of such commodities and that such action be taken in time to guarantee an abundant supply and reasonable price of such commodities for the production of the 1918 crop;

AND BE IT FURTHER RESOLVED, That a copy hereof be transmitted by the Secretary of State of the State of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring about speedy action for the accomplishments of the ends and purposes herein indicated, and as amended, we recommend that the resolution be concurred in.

J. C. KINNEY, Chairman.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Bill No. 5, introduced by Wheat; House Bill No. 4, introduced by Searles, and House Joint Memorial No. 1, introduced by Holt, Griffin, Kemmis, Davis, Sand, Hawks, Sektnan and White, eg to report the same as being correctly enrolled.

Mr. Speaker gave notice that he was about to sign House Bill No. 5, House Bill No. 4, House Joint Memorial No. 1.

THIRD READING OF HOUSE BILLS.

House Bill No. 17, having been read three several times was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kennis, Lanstrum, Larse, McClory, McDonald, McMillan, Mason, Middleton, Morris, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Weat, White. Total, 75.

Title agreed to and Bill transmitted to the Senate for concurrence.

House Bill No. 19 was read three several times and passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, McClory, McDonald, McMahon, McMillan, Mason, Middleton, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 75.

Noes: Davis, Searles. Total, 2.

Title agreed to and Bill transmitted to the Senate for concurrence.

House Bill No. 20, having been read three several times, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morrow, Phelps, Prosser, Rainey, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 74.

Noes: Page.

Title agreed to and Bill transmitted to the Senate for concurrence.

House Joint Resolution No. 5, having been read three several times was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Morris, Morrow, O'Brien, Phelps, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 79.

Title agreed to and same transmitted to the Senate for concurrence.

THIRD READING OF SENATE BILLS.

Senate Bill No. 6, having been read three several times, was concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektman, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 79.

Title agreed to and Bill returned to the Senate.

On motion of McMahon the House adjourned to 10 o'clock A. M. Wednesday, February 20, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

SEVENTH DAY

February 20, 1918.

House resumed, pursuant to adjournment at 10 o'clock A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll call. All members present.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Sixth day and find the same correct.

EMMA A. INGALLS, Chairman.

Report adopted.

Mr. Speaker gave notice he was about to sign Senate Bill No. 1.

COMMUNICATIONS AND PETITIONS.

The following Communications were received and read before the House:

A petition, addressed to Senator N. J. Mershon, and Representative John R. Page, from the citizens of Granite County, urging the necessity for the passage of laws dealing with sedition and sabotage, etc., signed by H. A. Featherman, and numerous citizens of that county.

INTRODUCTION OF BILLS.

House Joint Resolution No. 12, by White.

WHEREAS, The American Red Cross, the Young Men's Christian Association and the Knights of Columbus have unselfishly, and with genius and industry for organization unexcelled in the history of the world, brought to our soldiers and sailors, both at home and abroad, comforts, health, amusement, recreation, food, clothing, medical attention and hospital accommodation, and by their efforts have so heartened and encouraged our soldiers and sailors that they have been steelled to the hardships of war and better enabled to combat the forces which now wage conflict against civilization,

THEREFORE, BE IT RESOLVED, By the House of Representatives of the Fifteenth Legislative Assembly, in extraordinary session assembled, the Senate concurring,

That we extend our deepest gratitude to all of the officers and members of these splendid organizations, and that we express our hope and confidence that the results of their activities, as shown by their actions in this war, will forever secure for them a place in the hearts of all who love democracy.

Adopted by the House and transmitted to the Senate for action by that body.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 7, by Muffly, a Bill for an Act entitled: "An Act to amend Section 8746 of the Revised Codes of Montana, 1907, concerning malicious mischief or the malicious injury or destruction of real or personal property."

Read first and second times and referred to Committee No. 2.

THIRD READING OF HOUSE BILLS.

House Bill No. 16, the Senate amendments were concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Stimpert, Weil, Wheat, White. Total, 74.

McQuarrie being present was put on Committee No. 2.

Shaw being present was put on Committee No. 1.

THIRD READING OF HOUSE BILLS.

House Bill No. 11, Senate amendments were concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, McQuarrie, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 78.

House Joint Resolution No. 4, Senate amendments were concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 74.

Lemmon moved that the House do now resolve itself into Committee of the Whole for the consideration of General Orders. Carried.

GENERAL ORDERS.

Lemmon in the chair.

House resumed.

Mr. Speaker in the chair.

Lemmon, Chairman of the Committee of the Whole, reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Memorial No. 6, by Henderson, Rainey and Belden, a resolution memorializing Congress for the passage of proper legislation enabling the president to order railroads to make additions and improvements necessary for war purposes and the public interest, and petitioning for an order directing the construction of the proposed line of the Great Northern Railway Company from Richey in Dawson County to Winnett in Fergus County, recommend that it do pass.

Also, House Joint Resolution No. 10, by Holt, a resolution petitioning Con-

gress to take steps and measures to investigate the feasibility of constructing a spur track from the main line of the Great Northern Railroad running through the City of Belt, State of Montana, to the coal fields lying on the east edge of said city, having had the same under consideration, recommend that it do pass;

Also, House Joint Resolution No. 9, by Higgins, having had the same under consideration, recommend that it do pass;

Also, House Bill No. 22, by Belden, a Bill for an Act to appropriate the sum of three thousand dollars for the purpose of paying the incidental expenses of the extraordinary session of the Fifteenth Legislative Assembly of the State of Montana, having had the same under consideration, recommend that it do pass.

Also, House Bill No. 23, by Mason, a Bill for an Act entitled: "An Act to appropriate the sum of Five Hundred Dollars (\$500.00) for the purpose of paying for the printing and distribution of advance sheets of the laws passed by the extraordinary session of the Fifteenth Legislative Assembly," having had the same under consideration, recommend that it do pass;

Also, House Bill No. 21, by Gullidge, a Bill for an Act entitled: "An Act providing for the payment of deficiency claims of county attorneys, having had the same under consideration, recommend that it be amended as follows:

Insert in Section 1, line 1, the words and figures, "Three Thousand Nine Hundred Fifty-nine and 28/100 Dollars (\$3,959.28)," and as amended recommend that it do pass.

LEMMON, Chairman.

Report adopted.

On motion of Lanstrum the House reverted to Order of Business No. 6.

MOTIONS AND RESOLUTIONS.

Lanstrum moved that House Bills Nos. 23, 21, 22, House Joint Memorial No. 6, House Joint Resolution No. 10 and House Joint Resolution No. 9 be considered correctly engrossed and placed on third reading. Carried.

THIRD READING OF HOUSE BILLS.

House Joint Memorial No. 6, having been read three several times was passed by the following vote.

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lewis, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Quaintance, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 79.

Title agreed to and transmitted to the Senate for concurrence.

House Joint Resolution No. 9, having been read three several times was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Baldwin, Ball, Baxter, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Cotter, Davis, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Ingalls, Ironside, Jones, Kemmis, Lanstrum, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Rasmussen, Sand, Scott. Total, 50.

Noes: Ashby, Bernard, Burnworth, Carll, Connolly, Crismas, Crowley, Deibel, Demel, Fuller, Gould, Grimes, Henry, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Larse, Lemmon, Prosser, Quaintance, Rainey, Shaw, Spain, Stimpert, Weil, Wheat. Total, 27.

Title agreed to and transmitted to the Senate for concurrence.

House Joint Resolution No. 10, having been read three several times, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 76.

Title agreed to and transmitted to the Senate for concurrence.

House Bill No. 23, having been read three several times, was passed by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, White. Total, 78.

Noes: Gould, Wheat.

Title agreed to and transmitted to the Senate for concurrence.

Mr. Speaker: We, your Enrolling Committee, beg leave to report the following Bills have been delivered to His Excellency, the Governor:

February 20, 1918, at 10:45 A. M. House Bills Nos. 4 and 5, and House Joint Memorial No. 1.

CROWLEY, Chairman.

Adopted.

On motion of Lanstrum the House recessed until 2 o'clock P. M.

AFTERNOON SESSION.

House resumed at 2 o'clock P. M. pursuant to adjournment.

Mr. Speaker in the chair.

The following communication was received from His Excellency the Governor: The Honorable Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise your honorable body that the following measures have been approved.

House Bill No. 7: Appropriation of per diem of officers and attaches of the Fifteenth Legislative Assembly.

House Bill No. 8: Appropriation for mileage and per diem of members of the Fifteenth Legislative Assembly.

Substitute Joint House Resolution No. 3: Memorializing Congress for an appropriation for the Flathead Irrigation project for the ensuing year.

(Signed) S. V. STEWART, Governor.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Bill No. 15, introduced by Cotter, House Joint Resolution No. 1, introduced by Mason, and House Joint Resolution No. 2, introduced by Kemmis, report the same as being correctly enrolled.

(Signed) CROWLEY, Chairman.

Mr. Speaker gave notice that he was about to sign House Joint Resolution No. 2, House Joint Resolution No. 1, and House Bill No. 15.

The following communications received from the Senate:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 1 was delivered to the Governor at 10:10 A. M., February 20th, 1918, and his official receipt taken therefor.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate amendments to House Bill No. 9 were concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Baldwin, Ball,

Baxter, Belden, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Guldige, Harbert, Hathaway, Henry, Higgins, Holt, Huffaker, Ironside, Johnson of Deer Lodge, Jones, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, McQuarrie, Mason, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 68.

Noes: Bent, Crismas, Fishbaugh, Kehoe, Kelsey, McClory, Rainey. Total, 7.

On motion of McMahon the House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 2, to whom was referred Senate Bill No. 7, introduced by Muffly, a Bill for an Act entitled: "An Act to amend Section 8746 of the Revised Codes of Montana, 1907, concerning the malicious mischief of the malicious injury or destruction of real or personal property having had the same under consideration, beg leave to report and recommend that it be amended as follows: Strike out in line one of Section 1 the word "Statutes" after the word "Revised" and insert in lieu thereof the word "Codes" and as amended we recommend the same be concurred in.

McMAHON, Chairman.

Adopted.

Mr. Speaker gave notice that he was about to sign Senate Bills Nos. 2, 4 and 5.

The following report was received from the special committee, to whom was referred the matter of the impeachment of Judge Charles L. Crum:

To the Honorable House of Representatives:

We, your Special Committee, to whom was referred the matter of the procedure involving the impeachment of a state officer, having had the matter under consideration, beg leave to submit our report as follows:

There has been delivered to us certain affidavits, twelve in number, accompanied by a letter from His Excellency the Governor of this State, the affidavits affecting the fitness to hold office of the Honorable Charles L. Crum, a Judge of the District Court of the Fifteenth Judicial District of this state. We have examined the subject matter set forth in the affidavits and return the same herewith to the House for such consideration as this body may see fit to give them.

Concerning the proceedings for impeachment of a public officer, we have to report that such proceedings are defined by Section 8972 of the Revised Codes of Montana, 1907, and the following codes provisions of Chapter 1 of Title III.

It is set forth in the above mentioned provisions that the Governor and other state and judicial officers shall be liable to impeachment for high crimes and misdemeanors or malfeasance in office. These are the only grounds of impeachment which we have been able to find disclosed by the statutory law of the state. It is further provided that the sole power of impeachment rests in the House of Representatives and that a majority of all members must concur to exercise such power. Impeachment shall be tried by the Senate sitting for that purpose and the senators shall be upon oath or affirmation to do justice according to law or evidence. No person shall be convicted without a concurrence of two-thirds of the senators elected. All impeachments must be by resolution adopted, originated in, and conducted by managers elected by the House of Representatives, who must prepare articles of impeachment, present them at the bar of the Senate and prosecute the same. When an officer is impeached by the House of Representatives the articles of impeachment must be delivered to the president of the Senate. The Senate must assign a day for the hearing of the impeachment and inform the House of Representatives thereof. The president of the Senate must cause a copy of the articles of impeachment, with a notice to appear and answer the same at the time and place appointed, to be served on the defendant not less than ten (10) days before the day fixed for the hearing. The service must be made upon the defendant personally, or if he cannot, upon diligent inquiry, be found within the state, the Senate, upon proof of the fact, may order publication to be made in such manner as it may deem

proper of a notice requiring him to appear at a specified time and place and answer the articles of impeachment. If the defendant does not appear the Senate, upon proof of service of publication, as provided in the last two sections, may, of its own motion, or for cause shown, assign other day for hearing the impeachment or may proceed in the absence of the defendant to trial and judgment.

If the defendant appears and is unable to procure the assistance of counsel it is the duty of the president of the Senate to appoint some suitable person to assist him in his defense. If the defendant is served by publication and fails to appear it is the duty of the president of the Senate to appoint some person or counsel to appear in his behalf and make defense for him. When the defendant appears he may in writing object to the sufficiency of the articles of impeachment or may answer the same by an oral plea of not guilty, which plea must be entered upon the journal and puts in issue every material allegation of the articles of impeachment. The defendant cannot be convicted of impeachment without the concurrence of two-thirds of the members elected, voting by ayes and noes, and if two-thirds of the members elected do not concur in the conviction, he must be acquitted. After conviction, the Senate must, at such time as it may appoint, pronounce judgment in the form of a resolution entered upon the journals of the Senate. The judgment may be that the defendant be suspended or that he be removed from office and disqualified to hold office of honor, trust or profit under the state.

BELDEN, Chairman.

The clerk was instructed to read the affidavits upon which the Special Committee's report was based.

On motion of Higgins the House went into executive session.

House resumed.

Higgins, Mason and White were appointed by Mr. Speaker as a committee of three for the purpose of conducting the preliminary examination of the witnesses to be subpoenaed, to have the subpoenae issued in the proper form, and the subpoenaing of such persons as is desired, in connection with the impeachment proceedings against Judge Charles L. Crum.

Mr. Speaker: We, your Enrolling Committee beg leave to report that we have delivered the following Bills to His Excellency the Governor:

February 20, 1918, at 2:10 P. M. House Bill No. 15, House Joint Resolutions Nos. 1 and 2.

CROWLEY, Chairman.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 21, introduced by Gullidge, having been read three several times and concurred in, title agreed to, is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 6, introduced by Henderson, Rainey and Belden, was this day read three several times and concurred in, title agreed to and is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 23, introduced by Mason, having been read three several times and concurred in, title agreed to, is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 22, introduced by Belden, having been read three several times and concurred in, title agreed to, is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 17, introduced by Higgins, was this day read three several times and concurred in, title agreed to, and is herewith returned.

Also House Bill No. 20, introduced by Eliel, "An Act appropriating money for the payment of claims of the State Publishing Company, etc." was this day read three several times and concurred in, title agreed to and is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of McMahon the House adjourned until 10 o'clock A. M. Thursday, February 21st, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

EIGHTH DAY

February 21, 1918.

House resumed, pursuant to adjournment, at 10 o'clock A. M.

Mr. Speaker in the chair.

Prayer by chaplain.

Roll call. All members present.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Seventh day and find the same correct.

BLODGETT, Chairman.

The following communication was received from His Excellency the Governor:

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that the following Bills have this day been approved:

H. B. No. 4, relating to the fish and game laws of the State of Montana.

H. B. No. 5, legalizing and validating certain county bonds.

H. B. No. 15, relating to Maxim silencers, bombs and other explosive compounds.

H. J. M. No. 1, memorializing Congress to pass legislation relative to sedition and sabotage.

H. J. R. No. 1, relating to the labor situation throughout the State of Montana and the northwest.

H. J. R. No. 2, ratifying the national prohibition amendment.

(Signed) S. V. STEWART, Governor.

Mr. Speaker: I move that the State Auditor be authorized to issue warrants for the payment of such House employees as are required to finish the work of the Special Session of the Fifteenth Legislative Assembly.

(Signed) SEARLES.

Carried.

Following communications were received from the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. M. No. 1, introduced by Meadors, was read three several times, title agreed to and is herewith transmitted for concurrence.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 12, having been read three several times, was concurred in as amended by the Judiciary Committee, title agreed to, and is herewith transmitted for concurrence in amendments.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. J. R. No. 10 was this day read three several times and concurred in, title agreed to, and is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of Mason the House resolved itself into Committee of the Whole for consideration of General Orders.

GENERAL ORDERS.

Baxter in the chair.

House resumed.

Mr. Speaker in the chair.

Baxter, Chairman of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Senate Bill No. 7, by Muffly, a Bill for an Act entitled: "An Act to

amend Section 8746 of the Revised Codes of Montana, 1907, concerning malicious mischief or the malicious injury or destruction of real or personal property." recommend that it be amended as follows:

Amend Section one in line one by striking out the word "statutes" and inserting in lieu thereof the word "Codes."

Amend Senate Bill No. 7 by inserting the following: "All Acts and parts of Acts in conflict herewith are hereby repealed," and that the same be designated as Section 2. And that Section 2 of the original Bill be renumbered as Section 3.

"Section 1. Section 8746 of the Revised Codes of Montana, 1907, be and the same is hereby amended so as to read as follows:

And as amended recommend that the same do pass.

BAXTER, Chairman.

Report adopted.

Holt: I move that the resolution adopted by the House relative to the members not accepting per diem after Wednesday, February 20th, 1918, be suspended.

Roll call demanded, and motion carried by the following:

Ayes: Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Crowley, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Ingalls, Johnson of Deer Lodge, Kelsey, Kemmis, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Searles, Sektnan, Shaw, Stimpert, Weil. Total, 60.

Noes: Anderson, Charles; Belden, Bent, Clark, Cotter, Griffin, Hawks, Hufferaker, Jensen, Jones, Kehoe, Lanstrum, Morrow, Scott, Wheat, Mr. Speaker. Total, 16.

The following telegrams were this day received and read before the House: Hon. Ronald Higgins, House of Representatives, Helena.

Subpoena phoned me last night ten thirty. I would like to be excused for reason that I appear for defendant in murder case set at Baker morning of Twenty-fifth I need all time until then to prepare case I had brief conversation with Judge Crum prior to last General Election in which he expressed himself as being opposed to our entering the war and this is all the personal knowledge I have of the matter. Wire me at my expense.

C. H. LOUD.

Hon. J. F. O'Connor, Speaker House of Representatives, Helena.

I noticed in the public press that the Governor has submitted for the consideration of the House, certain affidavits attacking my personal, professional and judicial integrity and charging me with disloyalty. I welcome an investigation of the truth of the charges but desire to be present at the hearing thereof. My son, a youth, was last week operated on at the Miles City hospital and I cannot leave his bedside until he is out of danger. He is still in a very critical condition and the doctors cannot tell me whether he will live or die. I desire time and opportunity to make defense to the charges of the full import of which I am not informed unless the Legislature will remain in session long enough to permit of a thorough examination by the charges. I request that the investigation be made by a commission appointed by the supreme court which commission could give the necessary time for a full examination when I could be present and at a less expense than a prolonged session of the Legislature.

CHARLES L. CRUM.

Belden moved that Judge Loud be notified that he is released from appearing before the House, pursuant to his subpoena as a witness in the impeachment matter.

THIRD READING OF SENATE BILLS.

Senate Bill No. 7, having been read three several times, was concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dadds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hufferaker,

Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Sektan, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 76.

Title agreed to and Bill returned to the Senate for concurrence in House amendments.

THIRD READING OF HOUSE BILLS.

The Senate amendments to House Joint Resolution were adopted by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Spain, Stimpert, Weil, Wheat. Total, 77.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Memorial No. 1 was read first and second times and referred to Committee No. 1.

On motion of Mason the House recessed until 11:30 A. M.

House resumed.

Mr. Speaker in the chair.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 1, to whom was referred House Bill No. 18, for consideration, beg leave to report as follows:

That Section No. 1 of said Bill be stricken out and a new section inserted to read as follows:

"Section One. The Board of Examiners of the State of Montana is hereby authorized and empowered to borrow any sum of money in an amount not exceeding Five Hundred Thousand Dollars, upon the credit of the State of Montana, and there is hereby appropriated Five Hundred Thousand Dollars or so much thereof as may be necessary out of the receipts of any such loan or loans so made, under the provisions of this Act for the purpose of aiding and assisting the United States in carrying on, and prosecuting the war and for repelling invasion and suppressing insurrection."

Amend Section 2 of the printed Bill by striking out in line 7, the words "Either by donation or."

Amend Section 3 of the printed Bill by inserting before the word "Expenditure" in line 17 the words "loaning and the" and by striking out in line 18, the words "Donated or."

Amend further by striking out all of Section 4, and inserting in lieu thereof the following: "Section 4. The Board of Examiners of the State of Montana, is hereby empowered and authorized to issue bonds or warrants in a sum not exceeding Five Hundred Thousand Dollars at an interest bearing rate not to exceed six per cent per annum and upon such other terms and conditions as such Board may deem wise, proper and necessary to obtain funds sufficient to meet any loans or expenditures made under the provisions of this Act; provided, however, that the life of any such bonds issued shall not be greater than five years and may be redeemed at any interest paying period or within thirty days thereafter.

"There is hereby levied upon all property in the State liable to taxation, for the year 1918, an ad valorem tax of $\frac{1}{8}$ mill on each dollar of the value of all such property for the purpose of paying the interest on and to constitute a sinking fund for the redemption of bonds or warrants issued under the provisions of this Act."

And as amended we recommend that same do pass.

LEMMON, Chairman.

Lanstrum: I move that the House now resolve itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Gould in the chair.

House resumed.

Mr. Speaker in the chair.

Gould, of the Committee of the Whole, reported as follows:

Mr. Speaker: We, your Committee of the Whole report progress and ask leave to sit again at 1:30.

On motion of Lanstrum the House recessed until 1:30 o'clock P. M.

AFTERNOON SESSION.

House resumed at 1:30 P. M.

Mr. Speaker in the chair.

The following communications were received from the Senate:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bill No. 7, by Muffly, were read and concurred in.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 19, introduced by Bernard, "An Act concerning the Home Guard and making appropriation therefor," was reported from the Committee on Judiciary this day with the recommendation that it not be concurred in. Report adopted and Bill is herewith returned to the House.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of Lemmon the House reverted to Order of Business No. 4.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 1, to whom was referred Senate Memorial No. 1, introduced by Meadors, "Memorializing Federal Food Administration, to establish primary markets in the State of Montana," having had same under consideration beg leave to report back with the recommendation that same be concurred in.

LEMMON, Chairman.

Adopted.

On motion of Kemmis the House proceeded to Order of Business No. 5.

INTRODUCTION OF BILLS.

Kemmis was given the unanimous consent of the House to introduce a Bill without previous notice.

House Joint Memorial No. 2, by Kemmis, read first and second time, and on motion of Kemmis, was considered correctly printed and correctly engrossed and placed on third reading.

Mr. Speaker announced that he was about to sign Senate Bill No. 3, Senate Bill No. 6, and signed same in the presence of the House.

On motion of Mason the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Demel in the chair.

House resumed.

Demel of the Committee of the Whole made the following report:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 18, a Bill for an Act entitled: "An Act appropriating the sum of Five Hundred Thousand Dollars to be expended by the Montana Council of Defense in aiding and assisting the United States in the carrying on and prosecuting of the war now existing between the United States and the German and Austrian empires; designating the purposes for which such appropriation may be expended by the Montana Council of Defense; authorizing the Montana Council of Defense to make and adopt rules and regulations governing

the expenditure of such money, and to enter into any and all contracts which the Montana Council of Defense may deem necessary and proper in connection with the expenditure thereof; and authorizing the State Board of Examiners to make temporary loans for such sum or sums as may be necessary to meet such appropriation when there is insufficient unappropriated money in the State Treasury for such purposes."

Recommend that same be amended as follows:

Amend title of House Bill No. 18 by inserting after the words "Council of Defense" in line 7 of said title as it appears in printed copy, the following words:

"Authorizing the State Board of Examiners to issue bonds or warrants in excess of the constitutional limit of indebtedness, and to levy a tax upon all property in the State subject to taxation for the purpose of paying the indebtedness so incurred and the payment of the interest thereon."

Amend House Bill No. 18 in Section 6, by inserting in line 39, of the printed copy, after the word "defense," the words: "and approved by the State Board of Examiners."

Amend House Bill No. 18, Section 2, by inserting after the word "Defense" in line 7 of the printed copy, the words: "with the approval of the State Board of Examiners."

Insert an additional section to be numbered Section 8, and to be as follows:

"Section 8. None of the powers or authority granted by this Act to the Montana Council of Defense shall be exercised by said Council of Defense until each of the members thereof shall have given the State of Montana a bond in the sum of Twenty Thousand Dollars (\$20,000.00), which said bonds shall be conditioned as provided in Section 384 Revised Codes of 1907, and approved by the Governor and filed and recorded in the office of the Secretary of State, and all such bonds shall be subject to all of the provisions of Article 9 of Chapter 8 of Title 1 of Part 3 of the Political Code of the Revised Codes of Montana of 1907 applicable to bonds of state officers; provided, however, that any and all premiums required to be paid for any of such bonds may be paid out of the money appropriated by this Act.

Change number of present section 8 to section 9.

Change number of present section 9 to section 10.

Change number of present section 10 to section 11.

Change number of present section 11 to section 12.

Demel moved that the report of the Committee of the Whole be adopted.

McMahon as a substitute motion, moved that the report of the Committee on House Bill No. 18 be segregated from the report, and that House Bill No. 18 be rereferred to a standing committee.

Roll call demanded, and substitute motion was lost by the following vote:

Ayes: Anderson, Charles; Andrew, Ball, Baxter, Belden, Blodgett, Brooks, Carll, Clark, Connolly, Crismas, Crowley, Deibel, Duffy, Fuller, Gould, Grimes, Gullidge, Harmon, Henderson, Johnson of Deer Lodge, Kelsey, Lemmon, McDonald, McMahon, Morris, O'Brien, Quaintance, Rainey, Rasmussen, Searles, Wheat. Total, 32.

Noes: Anderson, Oscar W.; Arneson, Ashby, Baldwin, Bent, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Davis, Demel, Dodds, Eaton, Eliel, Farmer, Griffin, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McQuarrie, Mason, Morrow, Page, Phelps, Prosser, Sand, Scott, Sektman, Spain, Stimpert, Ward, Weil, White. Total, 47.

Report of the Committee of the Whole adopted.

On motion of Mason House Bill No. 18 was considered correctly engrossed, and placed on third reading.

THIRD READING OF HOUSE BILLS.

Senate Memorial No. 1. having been read three several times, title agreed to, was concurred in by the following vote:

Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas,

Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White. Total, 78.

House Joint Memorial No. 2, having been read three several times, title agreed to, was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McClory, McDonald, McQuarrie, Mason, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Sektnan, Stimpert, Weil, Wheat, White. Total, 68.

Noes: Baxter, Belden, Brooks, Clark, Connolly, Henry, Jensen, McMahon, O'Brien, Searles, Shaw, Spain, Ward. Total, 13.

On motion of Brooks, duly seconded, a call of the House was asked for, whereupon, after roll call the following members were found to be present and absent.

Anderson, Charles; Anderson, Oscar W.; Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Carl, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McQuarrie, Mason, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker.

Absent: Middleton, Bernard, Ironside.

On motion of Brooks the call of the House was suspended. House Bill No. 18, having been read three several times at length and title agreed to, was passed by the following vote:

Ayes: Anderson, Oscar W.; Arneson, Ashby, Baldwin, Bent, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Davis, Demel, Dodds, Eaton, Eliel, Farmer, Griffin, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McQuarrie, Mason, Morrow, Page, Phelps, Prosser, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, White. Total, 48.

Noes: Anderson, Charles; Andrew, Ball, Baxter, Belden, Blodgett, Brooks, Carl, Clark, Connolly, Crismas, Crowley, Deibel, Duffy, Fishbaugh, Fuller, Gould, Grimes, Harmon, Henderson, Johnson of Deer Lodge, Kelsey, Lemmon, McClory, McDonald, McMahon, Morris, O'Brien, Quaintance, Rainey, Rasmussen, Searles, Ward, Wheat. Total, 35.

McMahon: I move that further consideration of House Bill No. 3, be indefinitely postponed. Motion carried.

Higgins of the Special Committee relative to the impeachment of Judge Crum, reported that many of the witnesses subpoenaed were present and ready to testify.

Holt: I move that a copy of the testimony taken before the House, as soon as it is transcribed, be forwarded to Judge Crum. Motion carried.

On motion of McMahon the House recessed for thirty minutes.

House resumed.

Mr. Speaker in the chair.

Lanstrum: I move that the floor of the House be cleared, with the exception of members of the Senate, members of the House, State Officers, attaches of both houses and members of the press, and that the public be given the privileges of the galleries. Motion carried.

Lanstrum: I now move that the witnesses be excluded and brought in one at a time for examination.

Whereupon the following witnesses were brought before the bar of the House and duly sworn by Mr. Speaker:

Felkner Haynes, J. McCausland, C. Elege, C. A. Klingler, F. V. H. Collins, Don Campbell, F. J. E. Wood, Henry Grierson, Gus. Fullickson, J. H. Ivey, George Horkan, H. G. Young, B. H. Edminster, H. G. Klemme, Henry Beeman, and Braz Tull.

On motion of Middleton the special committee to examine the witnesses was increased from three to five, and that Mr. Speaker and Representative Belden of Fergus County be added to the committee. Motion carried.

Whereupon the House proceeded with the examination of the witnesses.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Bills Nos. 16, introduced by Belden; 21, introduced by Gullidge; 22, introduced by Belden; 20, introduced by Eliel; 23, introduced by Mason; 6, introduced by Higgins; 14, introduced by Eliel; 11, introduced by Rasmussen; 9, introduced by Larse; 1, introduced by Crismas; 10, introduced by O'Connor; House Joint Resolution No. 4, introduced by Holt; House Joint Resolution No. 12, introduced by White; House Joint Memorial No. 6, introduced by Henderson, Rainey and Belden; House Bill No. 13, introduced by Belden, beg leave to report the same as being correctly enrolled.

CROWLEY, Chairman.

Mr. Speaker gave notice he was about to sign the following Bills: House Bill No. 16, House Bill No. 21, House Bill No. 22, House Bill No. 20, House Bill No. 23, House Bill No. 6, House Bill No. 14, House Bill No. 11, House Bill No. 9, House Bill No. 1, House Bill No. 10, House Joint Resolution No. 4, House Joint Resolution No. 12, House Joint Memorial No. 6, and House Bill No. 13, and thereupon proceeded to sign the same in the presence of the House.

McMahon: I now move that we adjourn until 10 A. M., February 22nd, 1918, and that the House observe the time from 10 A. M. until 10:30 A. M. in honor of the birthday of George Washington, and that Judge Sydney Sanner be requested to preside at the exercises. Motion carried.

C. H. TREACY, Chief Clerk.

J. F. O'CONNOR, Speaker.

NINTH DAY

February 22, 1918.

House resumed, pursuant to adjournment at 10 o'clock A. M.

Prayer by Chaplain.

Roll call. All members present.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Ninth day and find same correct.

BLODGETT, Chairman.

On motion of McMahon, Mr. Speaker appointed the following committee to escort Justice Holloway into the House: Eliel, McMahon, Lanstrum.

Whereupon Justice Holloway delivered the following address:

"Anciently to be called a citizen of Rome was accounted the highest honor. Today no badge of distinction, no title of nobility can add to the glory of American citizenship. Proud in the very majesty of her might, in the inexhaustible storehouse of her resources, in the genius of her people, and in their conception of free government, this nation faces the supreme crisis in its history with a confidence born of sublime faith in the integrity of its intentions, the purity of its motives and the unselfishness of its purposes.

"This day brings a ray of sunshine through all but impenetrable gloom of a world-wide war, and it is well that in our national travail, we can sit at the feet of the father of our country and learn some lessons from the experiences of the past.

"Because the circumstances which surrounded his day and generation were so unlike our own, it might not be amiss that we should devote our energies to

reproducing, instead of merely commemorating his virtues. Irving has said that the traits of character which in him shone with pre-eminence were 'Firmness, sagacity, an immovable justice, courage that never faltered, and most of all, truth that disdained all artifices.'

"As a general he marshaled the untrained colonists into veterans, supplying by discipline what they lacked in experience. As a statesman he gave to the Constitution a comprehensive breadth of vision, vitalizing its powers in the interest of the people, whom it was adopted to serve. It has been truly said that he was a conqueror, but untainted with the crime of blood; he was a revolutionist, but free from any stain of treason; an Englishman by race and lineage, he incarnated in his own person and character every best trait and attribute that have made the Anglo-Saxon name a glory to its children and a terror to its enemies throughout the world.

"Guizot said: 'Washington did the two greatest things which in politics it is permitted to man to attempt. He maintained by peace the independence of his country, which he had conquered by war, and he founded a free government in the name of the principles of order and by re-establishing their sway.' The world approves and applauds the opinion of Everett that he was 'the greatest of good men and the best of great men.'

"It is said that when Marathon had been fought and won and Greece kept free, every one of the victorious generals voted himself first in honor, but all agreed that Miltiades was second. But when the American revolution was concluded, whoever else may have been second, all in one accord proclaimed that Washington was first.

"First in war, first in peace and first in the hearts of his countrymen. His life and services are a greater inspiration in this day of peril than in all the years which have intervened since he assumed the command of the American army—a patriot without pay.

"The specter of disunion falls into insignificance before the ogre of unconscionable autocracy. Successful secession might have established in this good land of ours two democracies instead of one, but no cataclysm of civil war ever could have destroyed American love of justice, liberty and independence, implanted in the hearts of our people by the examples of our forefathers of revolutionary days.

"We are wont to think of Washington as a great military hero and his record as a commander of the colonial troops is unsurpassed, but he was not less great as the organizer of an embryo republic. The battles of the Revolution would have been fought in vain if the fruits of victory had not been a free and united people, and to bring together the discordant elements; to cement into one common mold together the petty jealousies, and conflicting aspirations; in short to build a nation in the wake of war commanded in the fortitude of the soldier; the foresight of the statesmen; the solicitude of the philanthropist; and the sublime faith of a patriot. Not alone are we indebted to Washington for victories won on the field of battle; for constructive statesmanship in shaping the framework of our government or for administrative genius in launching successively our ship of state upon an uncharted sea and guiding its course through the perilous days of an experimental stage, but we owe to him an equal debt of gratitude for the legacy which he left in the parting words of wisdom, fatherly advice, and timely warning of his farewell address.

"With his compatriots he welded together thirteen scattered colonies into a nation conceived in liberty and dedicated to the principle that all men are created equal—with equal opportunities in all the affairs of life. A hundred and twenty years have passed since he laid down the reins of government and we are called upon today, as were our forefathers, to answer: Shall this nation so conceived and so dedicated, survive to our posterity as the exemplar of government of the people, by the people, for the people?

"Our isolation no longer protects us. We are of the world and must assume the duties and responsibilities of a world power. Every violation of international law is our concern; every inhuman barbarity practiced upon a helpless people imposes upon us a duty to demand and enforce reparations.

"We have entered this war without any thought of self-aggrandizement; unselfishly, 'to make the world safe for democracy'; that in event land free

people may enjoy the right of self determination to establish and maintain their own form of government and work out their own destinies.

"But democracy is not merely a name. It is the exponent of an idea; the spirit in which free people build their institutions and administer their laws. It comprehends their individual obligations and their public duties as well. It is born of freedom but it is the antithesis of unbridled license. With all the regulations surrounding us; with our liberties circumscribed, our burdens increased, our laws multiplied, America is today more truly democratic in the midst of this world war than ever before. We know that these burdens are self-imposed; that these restrictions are born of necessity. We accept our full measure of responsibility and are thrilled by the exalted patriotism which moves a hundred million human beings with one common impulse. We are breaking the barriers of class distinction, as nothing else could do, by applying the principles of true democracy to the selection of men for active service on the battlefield. Our army knows no distinction of color, class or creed. Rich and poor alike contribute to the nation's need in money and in men.

"We are learning that democracy comprehends something more than constitutions and laws; something different from the control of government in the interest of mass or class. Constitutions and statutes are written on paper but the principles of democracy are inscribed on our tablets of human hearts. Human rights are placed within the protection of the Constitution, not to be embalmed, but to be vitalized and when we can climb to the mountain tops of understanding and survey the whole, vast fields of human endeavor, then and then only will it be given unto us to perceive that government of the people, by the people, and for the people is something more than a struggle for existence where every man's hand is raised against his neighbor, but that it means co-operation in service, everyone striving for the good of all and all for the good of each.

"No government is worthy the name which does not serve faithfully the interests of all its people. The nation has stood forward as the champion and defender of human liberty and its precepts and examples have influenced the destinies of millions separated from us by half the circumference of the globe. This great world war involves something more than boundary lines and forms of government. It has taught the lesson that the human race cannot abide in peace or security, half free and half in involuntary slavery to a military autocracy. America has its parts to play—to make the world safe in which to live; a place where solemn treaty obligations must and will be respected; where the sacred rights of helpless non-combatants are given recognition; where women and children cannot be made the prey of lust or avarice, and where the unbridled ambition of a single monarch cannot deluge the earth with human blood.

"The highest duty of good citizenship demands that we awaken fully to the immense responsibility which rests upon us. Less than the utmost that we can do is not enough. This war is not yet won, our resources will be stressed as never before in all our history. We have set our forces to the task and cannot turn back. The shades of our forefathers forbid that we shirk from the sublime duty which enlightened civilization has imposed upon us.

"This nation was born in the throes of revolution against the arbitrary acts of irresponsible autocrats. Its foundations were laid deep and broad in the unerring, immutable principles of liberty, equality and justice, and to preserve those sacred, a sure inheritance to coming generations is the privilege and the pleasure of every patriotic American.

"We are called upon to make the supreme sacrifice of our lives in treasures and in blood. Our money will count for naught unless this war is won, and worse calamities can befall their parents than the loss of their sons. If the cause is just, their deaths will not be in vain. The enemies of human freedom may well stand aghast that they may give their best and all to support the tottering thrones of decaying monarchies. I have no doubt that in their sober senses they begrudge to us the opportunity to establish justice and liberty among the peoples of earth, just as in the motly crowd which gathered on Golgothas rocky heights, the mother of Judas envied Mary as she stood before the crucified form of her beloved son.

"Our work is not finished but only begun. The memory of Valley Forge

inspires us to renewed efforts, to consecrate our energies to the unfinished task which is set before us that 'government of the people, by the people and for the people shall not perish from the earth!'"

On motion of McMahon the address of Mr. Justice Hollaway was ordered spread at length on the Journal of the House, and one thousand copies of the same ordered printed.

Buell of Missoula was given the unanimous consent of the House to introduce a Bill without previous notice.

FIRST AND SECOND READING OF HOUSE BILLS.

House Joint Resolution No. 13, by Buell of Missoula, was read first and second times and referred to Committee No. 1.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Bill No. 17, introduced by Higgins, and House Joint Resolution No. 10, introduced by Holt, report the same as being correctly enrolled.

CROWLEY, Chairman.

Report adopted.

Mr. Speaker gave notice that he was about to sign House Bill No. 17, and House Joint Resolution No. 10, and proceeded to sign the same in the presence of the House.

On motion of McMahon the House recessed until 2 o'clock P. M.

AFTERNOON SESSION.

House resumed at 2 o'clock P. M.

Mr. Speaker in the chair.

Eliel: I move that the Senate be requested to return House Bill No. 18 for further consideration, by the House.

Mason: I move as a substitute motion that the motion to return House Bill No. 18 be indefinitely postponed.

Lemmon moved the previous question, and roll call was called upon the substitute motion, which carried by the following vote:

Ayes: Anderson, Oscar W.; Arneson, Ashby, Baldwin, Bent, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Davis, Demel, Eaton, Farmer, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Jensen, Jones, Kehoe, Kemmis, Larse, Lewis, McMillan, McQuarrie, Mason, Middleton, Morrow, Page, Phelps, Prosser, Sand, Scott, Sektan, Shaw, Spain, Stimpert, Weil, White. Total, 46.

Noes: Anderson, Charles; Andrew, Ball, Baxter, Belden, Blodgett, Brooks, Carlil, Clark, Connolly, Crismas, Deibel, Duffy, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harmon, Henderson, Ironside, Johnson of Deer Lodge, Kelsey, Lemmon, McClory, McDonald, McMahon, Morris, O'Brien, Quaintance, Rainey, Rasmussen, Searles, Ward. Total, 35.

Belden: I move that the House express and convey to United States Attorney Wheeler that it is the desire of this House that he take all necessary steps to take an appeal from the decision of Judge Bourquin in the Hall and Just ceases to the appellate court of this jurisdiction. Motion carried.

Mr. Speaker gave notice that he was about to sign Senate Bill No. 7, and thereupon proceeded to sign the same in the presence of the House.

The following communication was received from the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 2 was this day read first and second time and on motion was concurred in and is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor:

Feb. 22nd, 1918, at 2:35 P. M. House Bills Nos. 17, 14, 23, 20, 22, 21, 16, 11, 6, 1, 10, 9, 13, House Joint Resolutions Nos. 4, 10, 12, and House Joint Memorial No. 6.

(Signed) CROWLEY, Chairman.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Joint Memorial No. 2, introduced by Kemmis, report the same as being correctly enrolled.

CROWLEY, Chairman.

Whereupon Mr. Speaker gave notice that he was about to sign House Joint Memorial No. 2, and proceeded to sign the same in the presence of the House.
On motion of Lanstrum the House recessed until 8 o'clock P. M.

EVENING SESSION.

House resumed at 8 o'clock P. M.

Mr. Speaker in the chair.

Whereupon the House proceeded with the hearing in the impeachment proceedings against Judge C. L. Crum.

On motion of the House, adjourned until 10 o'clock A. M. Saturday morning, February 23, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

TENTH DAY

February 23, 1918.

House resumed, pursuant to adjournment at 10 o'clock A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll call. All members present.

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the Ninth day and find the same correct.

BLODGETT, Chairman.

Adopted.

The following communication was received from His Excellency, the Governor:

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following measures:

- H. B. No. 1, defining the crime of sedition.
- H. B. No. 6, relating to the use of the U. S. flag for advertising purposes.
- H. B. No. 9, prohibiting the negligent setting of fires on lands.
- H. B. No. 11, relating to taxes upon property owned by persons in the military or naval service of the United States.
- H. B. No. 13, relating to liens upon growing crops.
- H. B. No. 14, appropriating money for Farmers' Institutes, etc.
- H. B. No. 16, relating to State Board of Hail Insurance.
- H. B. No. 17, providing a method of voting for absent voters.
- H. B. No. 20, deficiency appropriation for State Publishing Company.
- H. B. No. 21, deficiency appropriation for County Attorneys.
- H. B. No. 22, appropriation for incidental expenses of Extraordinary Session of the Fifteenth Legislative Assembly.
- H. B. No. 23, appropriation for printing and distributing advance sheets of laws passed by Extraordinary Session.
- H. J. R. 4, relative to production, distribution and price of commodities necessary for production of cereal crops.
- H. J. R. 10, relative to spur track from the Great Northern main line through the City of Belt.
- H. J. R. 12, expressing thanks to the American Red Cross and other patriotic organizations.
- H. J. M. 6, relative to the construction of the proposed line from Ritchey to Winnett.

(Signed) S. V. STEWART, Governor.

Mr. Speaker gave notice that he was about to sign Senate Memorial No. 1, and signed same in the presence of the House.

Holt: I move that the Speaker appoint a committee of three to investigate the status of House Bill No. 12.

Whereupon the Speaker appointed the following committee: Holt, Lemmon and Baxter as the committee to investigate the status of House Bill No. 12.

Mr. Speaker: I move that at this time further testimony in the Crum impeachment proceedings be suspended, that the vote be taken, that no debate whatsoever shall be permitted; that if the vote of the House is for impeachment, that the Speaker shall appoint a committee of three to prepare the articles of impeachment.

Mason offered the following amendment to the motion: That the membership of the board of managers be increased to four, and that Mr. Speaker be a member of the board and also its chairman. Motion carried.

Baxter moved that the witnesses subpoenaed in connection with the Crum impeachment proceedings be excused. Motion carried.

On motion of Lanstrum the House recessed for fifteen minutes.

House resumed.

Mr. Speaker in the chair.

Lemmon: I move that the members of the Board of Examiners be increased from four to five members. Motion carried.

Mason offered the following resolution:

Whereas, testimony has been produced before the House of Representatives of the Fifteenth Legislative Assembly in extraordinary session convened, showing or tending to show that Charles L. Crum, District Judge of the Fifteenth Judicial District of the State of Montana, has been guilty of high crimes, misdemeanors and malfeasance in office:

Now, Therefore, Be It Resolved, That Charles L. Crum, District Judge of the Fifteenth Judicial District of the State of Montana, be, and he is hereby impeached of high crimes, misdemeanors and malfeasance in office; and,

Be It Further Resolved, That the five managers elected by the House prepare articles of impeachment, present them at the bar of the Senate, and prosecute the same.

MASON.

The roll was called and the resolution adopted by the following vote.

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'rien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 85.

Belden moved that a committee of three be appointed to notify the Senate of the action of the House in the Crum disbarment proceedings, and requesting the Senate to fix a time for the hearing of the proceedings. Motion carried.

Mr. Speaker appointed as members of the committee: Belden, Lemmon, McQuarrie.

Crowley offered the following:

All caucus employees who have actually employed services at this extraordinary session shall be paid the regular compensation. In addition thereto the following named persons shall receive the amount opposite their names: Olive Karnes, \$15.00; Frances Wilson, \$15.00; Miss Breighthenbauch, \$15.00; Frances Chirgwin, \$15.00; Miss Calk, \$50.00. Carried.

Searles moved that a committee of three be appointed to look into the matter of compensation for extra help. Motion carried. Mr. Speaker appointed Searles, Crowley and Scott.

Holt of the special committee to investigate the status of House Bill No. 12 reported that the Senate would take some action upon the Bill immediately.

Mason moved that further consideration of House Joint Resolution No. 13 be indefinitely postponed. Motion carried.

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following memorial has been delivered to His Excellency, the Governor:

February 23, 1918, at 11:10 A. M. House Joint Memorial No. 2.

(Signed) CROWLEY, Chairman.

At this point Mr. Speaker requested the Speaker Pro Tem to take the chair, and then delivered the following address to the House.

Address of Honorable James F. O'Connor, Speaker of the House of Representatives, to the House, February 23, 1918, upon a motion to table a resolution previously offered by Representative H. S. Buell of Gallatin County, requesting the resignation of the Judge of the United States Court for the Federal district of Montana:

"Mr. Speaker Pro Tem and members of the House.

"It occurs to me that to pass the resolution offered by the gentleman from Gallatin would be not only beyond the bounds of propriety, but not at all expedient or necessary.

"Personally, I consider Judge George Bourquin an able gentleman and a thoroughly conscientious Judge. Even though he should be biased or prejudiced in a proceeding such as the prosecution of Ves Hall for a violation of the espionage act—and, mind you, I do not intimate that such could possibly be the case—no necessity would arise for this body, or for any individual to request his resignation.

"It is not the fact that, presuming such a situation should exist, that is to say, that we should find a federal Judge before whom men guilty of seditious utterances cannot be convicted the United States District Attorney is thereby precluded from procuring action in such cases.

"The Congress of the United States has made ample provision for such a contingency.

"If it is true, and I am not saying whether it is true or false, that Judge Bourquin is biased or prejudiced against the United States in such prosecutions as that against Hall, or if it be true that his construction of Section 3 of the espionage act is too restricted to admit of proper punishment of those who malign our government, criticise our ideals, and abuse our chief executive, the United States District Attorney is not thereby rendered impotent to proceed.

"The Congress has not been so short-sighted as to place final and autocratic authority in the hands of the district judges of the United States. It (the Congress) recognized that men of high attainments and unimpeachable integrity, such men as in practically all instances are selected for the Federal bench, may not always, may not in every instance, possess the breadth of vision and clarity of judgment necessary for proper action. The Congress realized that men are human, and that bias and prejudice may insidiously warp the judgment of even the highest type of men.

Recognizing these facts, the Congress passed Section 21 of the Federal judicial code, with reference to the disqualification of any of the judges of the United States district court who may be biased or prejudiced in a civil or in a criminal proceeding.

"Should the district attorney conclude that by reason of bias or prejudice upon the part of the district judge, he will be unable to obtain a fair and impartial trial of the case before that judge, he has but to avail himself of the remedy provided for by the section referred to. I shall read to you the section:

"Whenever any party to any action, civil or criminal, shall make and file affidavit that the judge before whom the action or proceedings is to be tried or heard, has a personal bias or prejudice either against him or in favor of any opposite party to the suit, such judge shall proceed no further therein, but another judge shall be chosen in the manner prescribed in last section preceding, or in the manner prescribed in Section 23, to hear such matter."

"The above statute goes further than our own Montana law, relative to disqualification of trial judges, and you heard yesterday how Mr. Campbell summarily disqualified Judge Crum in 32 cases pending before that court.

"Upon the decision of the case against Hall, referred to above, the case against Just. based upon similar facts and circumstances, was by the United States District Attorney immediately dismissed.

"That action, in my opinion was a mistaken one. If Mr. Wheeler believed the interpretation of the law by Judge Bourquin was erroneous, he could have filed a disqualifying affidavit as to the Just case, in which event Judge Bourquin would cease to have the slightest authority in the matter. He could not even name the judge who should preside. The presiding justice of the circuit

court of appeals would designate some judge from another district to try the case. So it seems to me that Mr. Wheeler should be requested by this legislative assembly to take some action which will lead to a prosecution of the Just case if he is of the belief that the action in the Hall case was not proper.

"If the interpretation which now stands in Montana is not fair to the government—and I am not saying whether it is fair or otherwise, for the reason that I have not read the testimony, Mr. Wheeler has his plain remedy.

"And touching the subject of prosecutions under the espionage act, I desire to call your attention to similar cases that have been tried in Federal districts other than Montana.

"It was proved in the Federal court for the Northern district of New York that the defendant had used the following language:

"Our entry into the war was determined by the certainty that if the allies did not win, J. P. Morgan's loans to the allies will be repudiated, and those American investors who bit on his promises would be hooked."

"Let us see what the New York Federal Judge had to say about such language as that. The language of the opinion is:

"It is not true that our entry into this war was determined by the certainty that if the allies do not win, J. P. Morgan's loans to the allies will be repudiated, and American investors who bit on his promises will be hooked.

"Here is a plain assertion to every intelligent mind that the declaration of war, to which reference was made, contains a falsehood, and that such declaration was made because of the fear that allies might not win, and that in such case J. P. Morgan's loans to the allies would be repudiated, payment refused, and that American investors would lose their loans and suffer loss. In other words, that our entry into this war with Germany was determined upon by Congress to insure, if possible, the success of the allies to the end that they would fulfill their contracts and pay the loans made to them by individuals in the United States.

"The purpose of our President and Congress impugned and grossly misrepresented and falsified.

"What reports or statements could be more or better calculated to interfere with the operation and success of our military and naval forces in this war, or more or better calculated to promote the success of the enemies of the United States?"

"There is the language of the United States court in New York.

"Why, gentlemen! In comparison with the testimony you have heard in the Crum case, and in comparison with the statement made by Hall, the language found seditious by the New York court is mild and inoffensive!

"That is why I said to you the other day that if Judge Crum had made the statements attributed to him by affidavits on file here, since substantiated by testimony, the man is either insane or a traitor to his country. That statement I again repeat.

"But listen again, to the construction of the same statute, Section 3 of the espionage act, by the Federal judge, a part of whose district embraces the state of South Dakota.

"Before Judge Wade of that district a woman named O'Hara was tried for using this language: 'I do not believe that our boys should be raised to become cannon fodder for Great Britain.' It was also shown that she had advised friends not to enlist, because they would so become 'cannon fodder for Great Britain.'

"For such remarks, this woman was sentenced to five years in the Federal prison at Fort Leavenworth.

"I ask you, ladies and gentlemen, if the evidence, according to the newspaper report in the Hall and Just cases, or in the Crum case, are of less serious consequence, or if they deserve less severe punishment, than the words uttered by the defendant in New York and South Dakota cases? (Applause.)

"I am only reciting these things to show you first, that it is within the power of the district attorney in Montana to prosecute every violation of the law that occurs within this state, and that if he does not believe the United States can procure a fair and impartial hearing before Judge Bonquin, the right and the duty are his to file his affidavit to that effect, in accordance with the

statute of the country, and thereby procure the appointment of another judge to determine the issues and to interpret the law.

"Gentlemen, for one I am unable to see why violators of the law in Montana are entitled to any different treatment than that accorded such persons in other jurisdictions.

"I want to say to you, here and now, that any man, woman or child, who obstructs or discourages enlistments, or interferes with the operation of our army or navy in any way, shape or form, regardless of his age, color or position, should be made to suffer the consequences! (Applause.)

"Ask the gentleman over there in uniform—(pointing to Lieut. J. L. Carter of the Canadian army)—what happens to those who lucklessly fall into the hands of the German military machine. It would only be necessary to tell you what will happen to your boys over there, to tell you what will happen to them, to tell you how they are murdered, mutilated, tortured and starved, to arouse the temper of the people of this state to such a pitch that the crime of sedition would be no longer held on a par with a misdemeanor in this state, but the man guilty would be subject to the same treatment as one guilty of treason—namely, being shot! (Great applause.)

"I don't care, as I have said, what position a man occupies in this state. I care not if he is a judge of the district court or the humblest citizen. We should be no respecters of persons. If we believe the crime of sedition has been committed, it is our sacred duty to exert every energy to provide proper punishment for such malefactors.

"If you could see the big, strong, alert and handsome fellows who a short time ago were the working men of this country, swinging in column down the streets of Washington, bound for the blood-soaked fields of France—there to fight your battles and mine—I want to tell you right now that you would not for one moment tolerate interference with the laws to protect those boys who are going abroad. Mild treatment doesn't go. Only the severest kind of punishment will the damnable crime of sedition be stamped out.

"Perhaps you remember a cartoon that appeared recently in the *Helena Independent*. Two fat, bestial German spies, armed with secret codes, plying the contemptible trade of the sneak and the cur who stabs in the back, were consulting. Fearful of detection, one inquires: 'What if we are caught?' Amused beyond restraint, the second spy replies, 'Why, we shall be interned.' And above them a woman was pouring out the waters of her grief upon a coffin wherein lay the body of an American killed by the Hunnish fiends when the *Tuscania* was sunk! Interned! Interred were the proper punishment.

"We must not appalliate or temporize with the crime of sedition. It is the most dangerous of all the dangerous instruments of war. German intrigue has won hundreds of victories where German arms have triumphed once. Let us not make our anti-sedition laws a joke by indifferently administering them. Let us never halt any proceeding brought, as the *Crum* case was brought, until we have gone to the very bottom and determined the facts. Let us insist that every law be enforced rigidly, relentlessly, without favor, and this be our motto: 'Let no guilty man escape.' (Prolonged applause.)

"The State of Montana should be proud of its soldiers and of its people. It has developed that the percentage of men claiming exemption from service under the draft law is lower in Montana than in any other state. Montana has sent more men to the colors, in proportion to its population than any state in the Union. Montana leads the Union in money for Liberty Loans, Red Cross and Y. M. C. A. and other patriotic purposes. In God's name, gentlemen, let it not be said that Montana lags in the matter of crushing sedition and in the punishment of those who snugly and insidiously spread the poison here that shall murder our boys abroad! (Applause.)

"I want to tell you, members of the House, that this is a most serious situation. The war has just begun. We shall make untold sacrifices before it shall have ended. Our money, our time, our brains, our industry—our sons and our friends all must be brought forward without stint if we are to be victorious. I saw a letter recently from the son of that old gentleman sitting there—(Hon. B. C. White of Fergus)—who is fighting in France. He said: 'Father, you do your part over there and we'll do our part over here!' That is the crux of it all.

Our part is just as necessary as their part, and if either fails we shall collapse.

"I saw a letter in Washington from a priest of the Catholic church, now in France, with a company of Knights of Columbus. He said that, after studying conditions abroad, and knowing the treatment that our boys are subjected to, that he, nor the men on the front, ever want to return to the United States unless we win the war.

"And, members of the House, let us do every possible thing we can. Perhaps we are too old for the trenches, but there are many other things we can do. Our boys over there may never come back. We shall send countless thousands across who may never return, and the least we can do, is to stamp out the viperous head of treason and sedition wherever it appears (applause). And this without regard whether the man who utters sedition be a layman, a judge or a governor, or whatever he may be.

"Insidiously, treasonably it seems to me, it is whispered that we are fighting England's war. Why, gentlemen, we are fighting for the liberties that Washington fought for. We are fighting for the very life of our country, for our very national existence. If Germany is not whipped on French soil, or on German soil, she will have to be whipped on American soil! This is not great Britain's war—that is our war! (Applause.) We are fighting the war of right against might; of democracy against autocracy; of civilization against barbarity—of humanity against frightfulness! Some people may not love Great Britain, but we all love the United States of America, and with a love so profound that any feeling against Britain should be relegated to the dusty archives of the past, there to remain forever. (Applause.)

"I am pleased that the membership of the House is so united on this procedure. Differences of opinion as to the proper course to pursue with reference to charges against Judge Crum were natural when the matter was first brought up. I was in perfectly good faith in suggesting a Federal prosecution. Some gentlemen thought a disbarment proceeding might be proper and inexpensive. The majority, however, determined upon impeachment. In the heat of discussion there may have been intimations that some of the gentlemen here had a desire to 'pass the buck.' I am glad to say that no such feeling longer exists here.

"I have called your attention to the decisions of federal judges in other districts than our own. I have shown you that the law under which the United States attorney may procure relief if he feels he is unable to procure justice at the hands of the resident judge. And so, gentlemen, I think we should indefinitely postpone action upon the resolution of the gentleman from Gallatin, but if a resolution is introduced requesting the United States attorney to prosecute offenders under our Federal act, I think it should pass without a dissenting vote, and I trust such a resolution will request the district attorney, if he considers it necessary for a fair and impartial hearing, to take such action as will result in the calling in of another judge to hear such proceedings.

"And I thank you very kindly for your attention." (Applause.)

McMahon moved that a vote be tendered the Speaker and that one thousand copies of the speech be printed and that it be spread at length on the Journal.

Mason offered the following resolution:

House Resolution No. 14, by Mason:

Be It Resolved by the House of Representatives of the Fifteenth Legislative Assembly in extraordinary session, that B. K. Wheeler, Federal District Attorney for the District of Montana be requested to reinstitute suit against one "Just" under the Federal Espionage Act, and all such other person or persons who have violated the provisions of the same and be it further resolved that a copy of this resolution be forwarded to the said B. K. Wheeler by the Chief Clerk of the House.

MASON.

Resolution was adopted by the House.

Eliel was given the unanimous consent of the House to introduce Bills without previous notice.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 24, introduced by Eliel, a Bill for an Act appropriating money for the payment of the mileage and per diem of the members of the Fifteenth

Legislative Assembly, was read first and second times and referred to Committee No. 4.

House Bill No. 25, by Eliel, a Bill for an Act appropriating money to pay the incidental expenses of the Fifteenth Legislative Assembly, was read first and second time, and referred to Committee No. 4.

House Bill No. 26, by Eliel, a Bill for an Act to provide for the expenses of the government in the State of Montana for the year 1918, levying a tax in excess of the constitutional limit, was read first and second times and referred to Committee No. 4.

The following communication was received from the Senate:

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 18 was this day read three several times, concurred in as amended, title agreed to, and is herewith returned for concurrence in Senate amendments.

(Signed) J. F. CONE, Secretary of the Senate.

On motion, the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

McMahon in the chair.

McMahon of the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bill No. 18, by Mason, a Bill for an Act entitled: "An Act appropriating the sum of five hundred thousand dollars to be expended by the Montana Council of Defense in aiding and assisting the United States in the carrying on and prosecuting of the war now existing between the United States and the German and Austrian empires; designating the purposes for which such appropriation may be expended by the Montana Council of Defense; authorizing the Montana Council of Defense to make and adopt rules and regulations governing the expenditure of such money, and to enter into any and all contracts which the Montana Council of Defense may deem necessary and proper in connection with the expenditure thereof; and authorizing the State Board of Examiners to make temporary loans for such sum or sums as may be necessary to meet such appropriation when there is insufficient unappropriated money in the State Treasury for such purpose." Recommend that Senate amendments be concurred in.

McMAHON.

Report adopted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 26, a Bill for an Act to provide for the expenses of the Government of the State of Montana for the year 1918, levying a tax in excess of the constitutional limit," recommend that the same do pass.

ELIEL.

Adopted.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 24, a Bill for an Act appropriating money for the payment of mileage and per diem of the members of the Fifteenth Legislative Assembly having considered said report, return the same herewith with the recommendation that it do pass.

ELIEL.

Adopted.

Mr. Speaker: We, your Committee No. 4, to whom was referred House Bill No. 25, a Bill for an Act appropriating money to pay the incidental expenses of the Fifteenth Legislative Assembly," recommend that the same do pass.

ELIEL.

Adopted.

Mr. Speaker: We, your Printing Committee, to whom was referred House Bills Nos. 24, 25 and 26, beg leave to report the same correctly printed.

On motion of Higgins the House resolved itself into Committee of the Whole for the consideration of General Orders.

GENERAL ORDERS.

Brooks in the chair.

House resumed.

Mr. Speaker in the chair.

Brooks of the Committee of the Whole made the following report:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Bills 25, 24 and 26, report the same back to the House with the recommendation that they do pass.

BROOKS.

Adopted.

THIRD READING OF HOUSE BILLS.

House Bills No. 18, having been read three several times at length, title agreed to, the Senate amendments were concurred in by the following vote:

Ayes: Anderson, Oscar W.; Arneson, Ashby, Baldwin, Bent, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Cotter, Crismas, Crowley, Cutts, Eaton, Eliel, Farmer, Griffin, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Shaw, Spain, Ward, Weil, White. Total, 54.

Noes: Anderson, Charles; Andrew, Ball, Belden, Blodgett, Brooks, Clark, Deibel, Duffy, Gould, Grimes, Ironside, Johnson of Deer Lodge, McClory, McDonald, Morris, Quaintance, Searles. Total, 18.

On motion of Lanstrum the House recessed until 2 o'clock P. M.

AFTERNOON SESSION.

House resumed.

Mr. Speaker appointed the following committee to act as board of managers in the Crum impeachment proceedings:

Mr. Speaker, Mason, White, Belden and Higgins.

The following communication was received from the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 12, introduced by James F. O'Connor, was this day reported from the Committee on Finance and Claims with the recommendation that it be not concurred in. Report adopted and same is herewith returned.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of Eliel House Bills Nos. 24, 25 and 26 were considered correctly engrossed and placed on calendar for third reading.

THIRD READING OF HOUSE BILLS.

House Bill No. 24, having been read three several times at length, title agreed to, was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ironside, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, McMahon, McMillan, McQuarrie, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Searles, Sektan, Spain, Stimpert, Weil. Total, 75.

House Bill No. 25, having been read three several times at length, title agreed to, was passed by the following vote:

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blodgett, Brooks, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen,

Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat. Total, 71.

House Bill No. 26, having been read three several times at length, title agreed to was passed by the following vote.

Ayes: Anderson, Charles; Anderson, Oscar W.; Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Crismas, Crowley, Deibel, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat. Total, 65.

The following communication was received from His Excellency, the Governor:

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 10, authorizing counties to incur an indebtedness for the purpose of procuring seed grain for needy farmers.

H. J. M. 2, memorializing Congress to submit an amendment to the Federal Constitution extending the right of suffrage to women.

(Signed) S. V. STEWART, Governor.

McMahon moved that the House reconsider the vote by which resolution giving extra compensation to employees was adopted.

Motion carried.

Belden, of the special committee to notify the Senate of the action of the House in the Crum impeachment proceedings, reported that the Senate had the matter under consideration and would report to the House soon as possible.

On motion of Lanstrum the House recessed until 3:30 o'clock P. M.

House resumed.

Mr. Speaker in the chair.

Belden offered the following resolution, which was adopted by the House:

A Resolution memorializing the Superintendent of Banks of Montana to reduce the legal reserve requirements of Montana State banks.

WHEREAS, Our United States has engaged itself in a great world conflict, which has necessitated the centralization and investment of the resources of our nation to an extent heretofore unknown, and

WHEREAS, It is the desire of our Government for more thorough co-operation between it and the State banks in the financial problems confront the nation at this time, in order that proper funds may be provided the Government for the successful termination of the war, and

WHEREAS, Congress, in its wisdom, has seen fit to reduce the legal reserve requirements of all National banks, in order that idle funds might be available for investment, and

WHEREAS, An unusual demand is being made at this time on the State banks of Montana for the purchasing of Government bonds, and the heavy financing of their customers who are engaged in the producing of war products; and considering the present law requirements relating to the legal reserve of State banks extraordinary during the war period,

BE IT RESOLVED, That this Assembly is in favor of a suspension of the requirements of Section 50, Chapter 136 of the 1917 Session Laws, which requires that all State banks maintain a reserve of 15% of its deposit liabilities, except banks designated as reserve agents, which must maintain a reserve of 25% and recommend in its place that State banks be required to carry a legal reserve of 10% of its deposit liabilities, except banks approved by the Superintendent of Banks as reserve agents for Montana banks, which must maintain a reserve of 15% of its deposit liabilities.

FURTHER, That we do not believe the Superintendent of Banks should take any drastic action to enforce the above section, except as to those banks which report a less reserve than is herewith recommended:

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Superintendent of Banks of Montana.

The House listened to a short address on the war situation by the Honorable Member, Mr. Harbert.

Eliel: I move that a vote of thanks by the members of the House be extended to the Honorable Mr. Harbert, which was carried by a standing vote of all members.

The following resolution was offered by Mr. White, and adopted by the House:

WHEREAS, During the Extraordinary Session of the Fifteenth Legislative Assembly, the clerical business of the House has been thoroughly, expeditiously and correctly handled without the customary cost of such service to the State, and

WHEREAS, This result has to a great extent been brought about by reason of the assistance rendered by Mr. A. E. Spriggs, Chairman of the Industrial Accident Board in placing his clerical force at our disposal and

WHEREAS, The Chief Clerk of this House, Mr. C. H. Treacy, by reason of his offer to His Excellency, the Governor, to serve without compensation, demonstrated his interest in and devotion to the needs of state at this time, and further by his capable performance of his duties, in this, as well as the regular session,

THEREFORE, BE IT RESOLVED, That a vote of thanks be extended to Mr. A. E. Spriggs and Mr. C. H. Treacy.

B. C. WHITE.

Adopted.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 24, introduced by Eliel, was read three several times as amended, title agreed to, and is herewith transmitted for concurrence in Senate amendments.

Also House Bill No. 25, introduced by Eliel, was read three several times as amended, title agreed to, and is herewith transmitted for concurrence in Senate amendments.

Also House Bill No. 26, introduced by Eliel, was read three several times and concurred in, title agreed to, and is herewith returned to the House.

(Signed) J. F. CONE, Secretary of the Senate.

THIRD READING OF HOUSE BILLS.

House Bill No. 24 having been read three several times at length, title agreed to, the Senate amendments were concurred in by the following vote:

Ayes: Anderson, Charles; Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, Mason, Middleton, Morris, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Seales, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total 71.

House Bill No. 25, having been read three several times at length, title agreed to, the Senate amendments were concurred in by the following vote:

Ayes: Anderson, Charles; Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White. Total, 68.

REPORTS OF SELECT COMMITTEES:

The special committee appointed by the House to notify the Senate that the House will present an impeachment of Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana will report:

Your committee performed the duty assigned to them by appearing at the bar of the Senate and by reading to the Senate, and by delivering to the Secretary thereof, the following notice and demand.

MASON, Chairman.

Mr. President: The undersigned appear at the bar of the Senate as a committee of the House of Representatives, charged with the duty of notifying your Honorable Body that the House has impeached Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana, for high crimes, misdemeanors, and malfeasance in office, and will in due time by its managers, present special articles of impeachment, and demand that the Senate take order for the appearance of the said Charles L. Crum, to answer the said impeachment.

Higgins offered the following resolution, which was adopted by the House:

I move that the witnesses subpoenaed by order of this House in the opening impeachment proceedings against Judge Crum, as appears on a list furnished the Clerk of the House be allowed the mileage and fees provided for by statute for witnesses in a civil case at law, and that the Postal Telegraph company be allowed \$13.72 for telegrams sent to witnesses.

HIGGINS.

The following communication was received from the Senate:

I am directed by the Senate to inform the House of Representatives that the Senate will receive the Managers of the House of Representatives, who shall appear for the purpose of presenting them and delivering to the President of the Senate Articles of Impeachment against Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana, at the hour of 1:30 P. M. on Monday, February 25, 1918.

(Signed) J. F. CONE, Secretary of the Senate.

On motion of Lanstrum the House recessed until 11 o'clock Monday morning, February 25, 1918.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

TWELFTH DAY

February 25, 1918.

House resumed pursuant to adjournment, 11 o'clock A. M.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll call, and the following members found present:

Anderson, Charles; Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eliel, Fishbaugh, Fuller, Gould, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Morris, Morrow, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Shaw, Spain, Stimpert, Ward, Weil, White, Mr. Speaker. Quorum present.

Mr. Speaker: We, your Committee on Journal, beg leave to report we have examined the Journal of the Tenth day and find same correct.

BLODGETT, Chairman.

Report adopted.

MOTIONS AND RESOLUTIONS.

Mr. Speaker: I move that the Secretary of State be instructed to have three hundred copies of the rules of the Fifteenth Legislative Assembly printed, same to be paid for out of the incidental expense fund of this Assembly and to furnish a copy of such rules upon the desk of every member of the Sixteenth Legislative Assembly.

KEMMIS.

Carried.

Mr. Speaker: I move that all House employees rendering services at this extraordinary session of the Fifteenth Legislative Assembly be granted the regular compensation provided by law and that the following persons be paid the amount after their names.

Olive Karnes	\$15.00
Frances Wilson	\$15.00
Miss Breighthenbaugh	\$15.00
Frances Chirgwin	\$15.00
Katherine Calk	\$50.00

CROWLEY.

McMahon: I move that motion of Crowley for extra compensation be laid upon the table. Substitute motion carried.

COMMUNICATIONS AND PETITIONS.

To the Hon. W. J. Scott, Representative, Montana State Legislature, Dist. No. Big Horn County:

The undersigned respectfully request that the State Hail Insurance law be changed to read, that insurance will be accepted to 1st of July. This will be a great benefit to farmers using the insurance, as they would not need to insure until they were sure of a crop.

Signed J. C. Foster, R. E. Kearns and about fifty others.

Carroll offered the following resolution:

Joint Resolution to our Representatives and Senators of the State of Montana in Congress to secure the stronger interpretation of the Espionage Act.

WHEREAS, The unfortunate construction placed upon the Espionage Act by the Federal Courts of Montana has called forth vehement protest from all portions of the State; and

WHEREAS, We believe that it is to the best interest of peace, safety and good government that an appeal should have been taken from such decision to the Circuit Court of Appeals by the District Attorney for the State of Montana.

WHEREAS no such appeal was taken,

NOW, BE IT, THEREFORE, RESOLVED by the Fifteenth Legislative Assembly of the State of Montana convened in extraordinary session, to the Senate concurring, that we hereby recommend the resignation or removal of the District Attorney of the State of Montana; and

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of this House, and that copies thereof be forwarded to the Representatives and Senators of the State of Montana in Congress, with the request that they use their very best efforts to secure the desired ends as set forth in this resolution.

CARLL.
KELSEY.

Carll moved the adoption of the report.

Davis moved the resolution be laid upon the table.

Motion to lay upon the table was lost and roll call having been demanded upon the adoption of the resolution was lost by the following vote:

Ayes: Ashby, Ball, Baxter, Bent, Buell of Gallatin, Carll, Connolly, Crismas, Deibel, Fishbaugh, Fuller, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Huffaker, Jensen, Kelsey, McDonald, Morrow, Prosser, Rainey, Rasmussen, Scott, Shaw, Spain, White, Stimpert. Total, 30.

Noes: Anderson, Charles, Andrew, Arneson, Blodgett, Booth, Brooks, Buell of Missoula, Clark, Davis, Dodds, Crowley, Eliel, Gould, Henry, Higgins, Holt, Hurd, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Lanstrum, Larsen, Lewis, McMahon, McMillan, Mason, Morris, O'Brien, Page, Phelps, Sand, White. Total, 33.

McMahon: I move that the vote by which the resolution of Mr. Carll was lost be re-considered. Roll call demanded and motion to reconsider was lost by the following vote:

Ayes: Andrew, Ashby, Ball, Baxter, Buell of Gallatin, Carll, Connolly, Crismas, Crowley, Deibel, Fuller, Gould, Grimes, Harmon, Harbert, Hathaway, Huffaker, Jensen, Kelsey, Lemmon, McDonald, McMahon, Mason, Morrow, Prosser, Rasmussen, Scott, Spain, Stimpert, White. Total, 30.

Noes: Anderson, Charles; Anderson, Oscar W.; Arneson, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Clark, Davis, Dodds, Clark, Eliel, Fishbaugh, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McMillan, Morris, O'Brien, Phelps, Rainey, Sand, Shaw. Total, 33.

Mr. Speaker present but not voting.

White offered the following resolution which was adopted by the House:

WHEREAS, Governor S. V. Stewart has, in every way, aided this special session of the Fifteenth Legislative Assembly in its labors; and

WHEREAS, He has rendered every aid possible to the members of his special session; and

WHEREAS, The work of this special session has been largely assisted and expedited with the minimum of cost to the State by reason of the assistance rendered by State officials, appointees and employes of the various departments of the State government; therefore, be it

RESOLVED, That the thanks and appreciation of this Assembly be and are hereby extended to Governor S. V. Stewart, Attorney General S. C. Ford, State officials, appointees, and employes for their assistance in transacting the business for which this special session of the Fifteenth Legislative Assembly was called.

WHITE.

Adopted.

Mr. Speaker: I move that the Board of Managers appointed by the House to conduct the prosecution of impeachment of Judge Charles L. Crum be allowed the per diem and mileage provided for by law for the payment of members of the Legislature, for every day that such managers are actively engaged in such prosecution and that such managers be permitted to use funds appropriated for incidental expenses of the House to prepare the case for the State of Montana, such as the search for evidence, etc., and that the State Auditor be authorized and directed to pay such members the per diem and mileage above stated and draw its warrants therefor, and draw his warrant for money to be used in the preparation of the State's case as aforesaid.

HIGGINS.

Motion carried.

On motion of McMahon the Chief Clerk was instructed to address a communication to the Rotary Club of Helena thanking them for the luncheon for the members of the Assembly.

Mr. Speaker: We, your Enrolling Committee, to whom was referred House Bills Nos. 18, introduced by Mason; 25, introduced by Eliel; 24, introduced by Eliel, and 25 introduced by Eliel, report the same as being correctly enrolled.

CROWLEY, Chairman.

Adopted.

Mr. Speaker gave notice he was about to sign House Bills Nos. 18, 25, 24 and 26, and signed same in the presence of the House.

Lanstrum: I move that the House now recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION.

House resumed.

Mr. Speaker in the chair.

Holt moved that the House recess until 7:30 P. M.

EVENING SESSION.

House resumed.

Mr. Speaker in the chair.

Mason: I move that House now revert to Order of Business No. 6.

Motion carried.

Mason, Chairman Pro Tem of the Board of Managers, on the impeachment of Judge Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana, offered the following articles of impeachment, which were received and read before the House. Mason having moved the adoption of the same, the Articles of Impeachment were placed upon General Orders.

STATE OF MONTANA.

Articles of Impeachment.

EXHIBITED BY HOUSE OF REPRESENTATIVES OF THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA FOR THEMSELVES AND ON BEHALF OF ALL THE PEOPLE OF THE STATE OF MONTANA, AGAINST CHARLES L. CRUM, JUDGE OF THE DISTRICT COURT OF THE FIFTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA.

ARTICLE I.

That the said Charles L. Crum, now is and at all times herein mentioned since the first Monday in January, 1913, was, the duly elected, qualified and acting District Judge of the Fifteenth Judicial District of the State of Montana, and a citizen of the United States, owing allegiance to the said United States, and that the said Charles L. Crum, while occupying the official position of Judge of the District Court of the said Fifteenth Judicial District, unmindful of the high duties of his office and dignities and propriety thereof and his oath of office and dignities and propriety thereof and his oath of office in connection with his duties as said District Judge, and in utter disregard of his duties as said District Judge, and in utter disregard of his duties as a citizen of the United States was and is guilty of high crimes and misdemeanors and malfeasance in office which are set forth in the several specifications hereinafter written in substance and effect, that is to say:

Specification First. In this, that subsequent to the declaration of war between the German empire and the empire of Great Britain and the Republic of France the said Charles L. Crum, within the State of Montana, on divers and numerous occasions and in the presence of sundry and divers persons did publicly declare that the President of the United States and his cabinet and the Congress of the United States were being induced, influenced and controlled by the British empire and the Bankers of the United States; and the Congress and President of the United States and the financial interests of the United States, were tools of the said British empire and that the President of the United States, and that the Congress of the United States were induced and influenced to become allies of Great Britain and the British empire, and to declare war against the German empire and for the purpose of protecting loans made by the bankers and financial interests of the United States to the said British empire and to its allies, and that if the said British empire and its allies, and that if the President of the United States and the Congress of the United States should declare war against the German empire, he, the said Charles L. Crum, District Judge as aforesaid, would be ready to sell out, pack up what little he had, and leave the United States and would prefer to fight on the side of the German empire in any war between the said United States and the said German empire.

Specification Second. In this, that subsequent to the declaration of war between the empires of Great Britain and Germany, the said Charles L. Crum, within the State of Montana, and while acting as District Judge, aforesaid, and at or about the time of the sinking of the Lusitania, on divers and numerous occasions and in the presence of divers and numerous persons did publicly declare his sympathy with the German empire and that the said German empire in the sinking of the Lusitania, at the time, and in the manner in which the said vessel was sunk was acting within its rights, and that the citizens of the United States who were passengers on said vessel at the time of the sinking of the same were there without right and that the sinking of the said vessel would be a good lesson for the "Globe Trotting Americans," and that the lives of the passengers on the said Lusitania at the time the said vessel was sunk, should have been sacrificed, and did publicly declare that the United States as a neutral nation had no right to carry on the transportation or shipping of munitions or supplies of war to Great Britain or to its allies, or to any of the countries with which Germany was at war, and that the United States in supplying munitions of war was not acting as a neutral nation should act in time of war, and the said Charles L. Crum did publicly make other statements of a similar nature to the aforesaid, embodying a denial of the right of the United States to engage in neutral shipping, and denying the right of the United States of access to the seas, and the carrying on of its commerce.

Specification Third. In this, that subsequent to the declaration of the European war in the year 1914, the said Charles L. Crum in the County of Rosebud and within the State of Montana and during the term of his office as such District Judge, aforesaid, on divers and numerous occasions and in the presence of divers persons did publicly declare that the President of the United States was not serving and acting for the people of the United States but was merely a tool, hireling and puppet of the British empire and of Wall street and of the bankers and financial interests of the United States who had made loans to the British empire and to its allies to enable them to carry on and prosecute the war then and now existing between the British empire, and its allies, and the said German empire.

Specification Fourth. In this, that prior to the declaration of war between the Congress of the United States against the German empire in the month of April, 1917, the said Charles L. Crum, District Judge aforesaid in the County of Rosebud in the State of Montana on divers and numerous occasions and in the presence of sundry and divers persons did publicly declare that if the United States should declare war against the German empire there would be riots, insurrections and rebellions in the United States by the inhabitants of the United States who were opposed to the United States declaring war against the German empire.

Specification Fifth. In this, that subsequent to the declaration of war between the United States and the German empire in the month of April, 1917, the said Charles L. Crum, District Judge as aforesaid in the County of Rosebud in the State of Montana on divers and numerous occasions and in the presence of divers persons did publicly declare that the President of the United States was owned by Wall street, and that the President of the United States was a criminal, and traitor to the United States, and that war had been declared by the United States against the German empire to protect the bankers and financial interests of the United States who had made loans to the British empire and to its allies, to enable them to prosecute the war existing between the British empire and its allies, and the German empire.

Specification Sixth. In this, that after the Congress of the United States had declared war against the German empire in the month of April, 1917, the said Charles L. Crum, District Judge as aforesaid, did, in the County of Rosebud, within the State of Montana on divers and numerous occasions for the purpose of inducing and influencing persons to oppose such war and to obstruct the Government of the United States in carrying on the same and to refuse to support the United States in the prosecution thereof, publicly and privately, state that the acts of the United States in preparing to send its army or armies to Europe to engage in carrying on and prosecuting such war were unconstitutional, and that the men in such armies would never come back to the United States; that the United States had no authority to draft or conscript armies for service outside the United States, in the prosecution of the said war between the United States and the empire of Germany.

Specification Seventh. In this, that after the Congress of the United States had declared war against the German empire in the month of April, 1917, and after the Congress of the United States had enacted legislation providing for drafting or conscripting citizens of the United States for said armies and to make up its said armies and naval forces, the said Charles L. Crum on divers and numerous occasions and during the term of his office as Judge, aforesaid, did declare to divers persons, for the purpose of inducing and influencing such persons to oppose the provisions of such legislation and to obstruct the said United States in preparing its said armies and naval forces for prosecuting such war against the German empire and did advise, counsel and request several persons at the times aforesaid to refuse to comply with the requirements of the so-called "Draft Laws" of the United States and legislation enacted by the United States for the purpose of drafting or conscripting an army for the military and naval services of the United States and did advise such persons that such legislation was unconstitutional and void, and that the President of the United States was a criminal; and that the President of the United States and the Congress thereof had no lawful authority to draft men for the army or navy to thereby be sent to France or elsewhere to fight on the side of the allies against the German empire or to be taken outside of the United States to serve in the

military forces thereof, and on said divers and numerous occasions the said Charles L. Crum as aforesaid did advise said sundry and divers persons not to permit or comply with the provisions of such legislation so enacted by the President and Congress of the United States and did tell to said sundry and divers persons at times and places aforesaid, that if he were of draft age, he would resist the draft, meaning thereby he would not comply with the laws and regulations of the United States concerning the drafting of armies for military and naval service in time of war, and did tell such persons at said times and places that his son was outside the domain of the United States and that he would not allow him to return to the United States, nor to enter into the military service of the said United States to be murdered on foreign soil, and did further state to said divers and numerous persons that a million of the young men in the army and naval forces of the United States and be buried on foreign soil.

Specification Eighth. In this, that after the Congress of the United States had declared war against the German empire in the month of April, 1917, and after the Congress of the United States had enacted legislation providing for the drafting of citizens of the United States and other persons qualified for military duty, for its armies and for use in the military service of the United States, the said Charles L. Crum, District Judge, as aforesaid, in the County of Rosebud in the State of Montana on divers and numerous occasions did declare to divers and numerous persons, for the purpose of inducing and influencing such persons to oppose the provisions of such legislation and to refuse to comply with the same, that if the United States should attempt to enforce such legislation there would be riots, insurrections and rebellions in the United States by the inhabitants thereof who were opposed to such legislation, and who are opposed to citizens of the United States being drafted into the armies and naval forces of the United States for the purpose of being sent to Europe, or to other foreign countries, to fight on the side of the United States in the war between the United States and the German empire.

Specification Ninth. In this, that after the Congress of the United States had declared war against the German empire and during the time that the selective draft act was under consideration in Congress, the said Charles L. Crum, judge as aforesaid, in the County of Rosebud in the State of Montana, advised, counseled, caused, aided and assisted Lebert Crum, one of the sons of the said Charles L. Crum to leave the State of Montana, and the United States of America, and to enter a foreign country for the purpose of preventing the said Lebert Crum, son of the said Charles L. Crum, aforesaid, from being conscripted or drafted into the armies or naval forces of the United States, and that after the selective draft act was passed by the Congress of the United States and approved by the President, in the year 1917, the said Charles L. Crum, Judge as aforesaid, in the said County of Rosebud, and State of Montana, stated to sundry and divers persons that his said son, although not of draft age, was outside the United States, and would remain out of the United States so that he would not be drafted when he became eligible to draft under the regulations of the selective service act, and that he would not allow him to return to the United States, or become a member of the armies or military forces of the United States, to be taken to a foreign country and murdered in a foreign land.

ARTICLE II.

That the said Charles L. Crum now is, and at all of the times herein mentioned, since the first Monday in January, 1913, was, and ever since has been, the duly elected, qualified and acting Judge of the Fifteenth Judicial District of the State of Montana, and during all of said times, was and is a citizen of the United States, owing allegiance thereto, and that the said Charles L. Crum, while occupying the position of District Judge as aforesaid, unmindful of his oath of office, and of the high duties of his office and the dignity and propriety thereof, and in utter disregard of his duties as a citizen of the United States was guilty of high crimes and misdemeanors and of malfeasance in office, which are set forth in the several specifications hereinafter written, in substance and effect; that is to say:

Specification First. In this, that after the Congress of the United States had declared war against the German empire, the said Charles L. Crum in the

County of Rosebud in the State of Montana, on divers and numerous occasions has made and uttered to sundry and divers persons, false and seditious statements of and regarding the President of the United States and the Congress of the United States and the United States government for the purpose of preventing, hindering and delaying the United States government in preparing for and carrying on the war in which it is engaged against the German empire and in connection with the declaration of war by the Congress of the United States against the German empire and the carrying on and prosecuting of the same by the said United States, used utterances, statements and declarations in substance as follows:

The President of the United States is owned by and is a tool of Wall street, a puppet and a tool of the British empire, and that the President of the United States was a traitor, and a criminal, and that he would steal, and that he would leave the Presidency a man of colossal wealth, and that he was using the high office of President of the United States for the purpose of personal gain; that this was not our war but only a war to grab territory for the allies of the United States and that we were driven into the war by Wall street and the munition makers of the United States; that right thinking men should dispose of their holdings in the United States and leave the country. That if he were of draft age, he would resist the draft regulations promulgated by the President, Congress and military authority of the United States, and would not subject himself thereto, and that there were thirty million Germans in this country who would rise up in revolution and rebellion, and would refuse to fight their own flesh and blood; that the Germans in the United States would ally themselves with the labor in the United States and refuse to comply with the military regulations of the United States, promulgated for the purpose of providing for and carrying on the war. This his son was outside the domain of the United States and that he would not have him return to enter into the military service of the United States and be murdered in a foreign land, and that he advised sundry and divers persons in the County of Rosebud in the State of Montana, and particularly one W. A. Lyndes, and while District Judge as aforesaid, advised the said W. H. Lyndes not to allow his sons to enter the military service of the United States, and advised the said W. H. Lyndes to request and require his, said (Lyndes) sons to refuse to comply with the draft law and with the military regulations of the United States promulgated for the purpose of carrying on a war against the German empire; and further advised the said W. H. Lyndes that the draft law promulgated by the United States for the purpose of raising an army was unconstitutional and void, and of no effect; and that on or about the month of July, 1917, in the town of Forsyth, in the County of Rosebud, in the State of Montana the said Charles L. Crum, District Judge as aforesaid, stated to one Klemme that no other government was as rotten as ours, except Russia, and at divers times and on divers places in the said County of Rosebud, the said Charles L. Crum, Judge as aforesaid, spoke and declared to various other persons similar statements to the statements made to the said Klemme, as hereinbefore set forth. All the above and foregoing declarations and statements being made with the intent and for the purpose of influencing and inducing the above named persons, and other persons to oppose the carrying on and prosecuting of such war with the intent and for the purpose of influencing and inducing the above named persons, and other persons to oppose the carrying on and prosecuting of such war with the intent and for the purpose of influencing and inducing such persons to in all cases and manners, hinder, delay and prevent the prosecution, preparation for and carrying on of such war by the United States against the German empire.

ARTICLE III.

That the said Charles L. Crum, now is and at all times herein mentioned, since the first Monday in January, 1913, was the duly elected, qualified and acting District Judge of the Fifteenth Judicial District of the State of Montana, and a citizen of the United States, owing allegiance to the United States, and that the said Charles L. Crum, while occupying the official position as Judge of the District Court of the Fifteenth Judicial District, unmindful of his oath of office, and of the high duties of his office, and dignity and propriety thereof, and in utter disregard of his duty as a citizen of the United States was and is.

guilty of high crimes and misdemeanors and malfeasance in office, which are set forth in the specifications hereinafter written, in substance and effect, that is to say:

Specification First: That the said Charles L. Crum on or about the twenty-sixth day of January, 1918, at the County of Lewis and Clark, in the State of Montana, with force and arms did make an assault upon one Felkner Haynes, with a certain loaded weapon commonly known as and called a revolver and the same then and there being a deadly weapon and likely to produce death, with the intention then and there to kill and murder the said Felkner Haynes, all of which then and there was contrary to the form, force and effect of the statutes of the State of Montana in such case made and provided:

Specification Second. In that the said Charles L. Crum on or about the twenty-sixth day of January, 1918, within the limits of the City of Helena, in the County of Lewis and Clark, in the State of Montana, did carry and bear concealed upon his person a certain revolver the same then and there being a deadly weapon. The said Charles L. Crum, not then and there being a peace officer or a person summoned in aid of a peace officer in the discharge of his official duty, nor in the carrying of said revolver on his premises or place of business, all of which said acts were contrary to and in contravention of the provisions of Chapter 58 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, being Section 8582 of the Revised Codes of Montana of 1907, as amended by said Chapter 58.

ARTICLE IV.

That the said Charles L. Crum now is, and at all times herein mentioned since the first Monday in January, 1913, was the duly elected, qualified and acting District Judge of the Fifteenth Judicial District of the State of Montana, and a citizen of the United States, owing allegiance to the United States, and that the said Charles L. Crum, while occupying the official position as Judge of the District Court of the Fifteenth Judicial District, unmindful of his oath of office, and of the high duties of his office, and the dignity and propriety thereof, and in utter disregard of his duty as a citizen of the United States was and is guilty of high crimes and misdemeanors and malfeasance in office, which are set forth in the specifications hereinafter written, in substance and effect, that is to say:

Specification First. In this, that the said Charles L. Crum, while presiding as Judge at a term of the District Court of said Judicial District, held in the city of Forsyth, in the County of Rosebud, in the State of Montana, during the month of August, 1917, endeavored to and attempted to prevent two certain persons, to-wit, John B. McRae and Samuel McConkey from being drawn to serve as trial jurors and exercising the functions of a juror in the trial of cases, during the said term of said District Court, notwithstanding the fact that the said John B. McRae and Samuel McConkey were each of them then and there citizens of the United States and residents within the said County of Rosebud and in all respects qualified to serve and act as trial jurors of the said District Court and that the said Charles L. Crum as presiding Judge, aforesaid, stated and declared that each of the said persons, to-wit, John B. McRae and Samuel McConkey were members of an organization known as the "Overseas Club" an association of persons having for its purpose and object the aiding and assisting of the British empire in the war between the British empire and the German empire, and the said Charles L. Crum, at said time and place, further stated and declared that no person who was a member of such club could act or serve as trial juror in his, the said District Court.

Specification Second. In this that the said Charles L. Crum, Judge as aforesaid, during the month of August, 1917, while presiding as such Judge in the District Court in and for the County of Rosebud at the trial of one Joe Holtz who was then and there being tried on criminal charge in the District Court of the said Judicial District at Forsyth in Rosebud County requested, endeavored and attempted to induce and persuade Young and Young, acting for the defense in said trial of Joe Holtz, to challenge from said jury, one Samuel McConkey, who had then and there been drawn as trial juror in the said cause on the ground that the said Samuel McConkey was a member of the "Overseas Club," an association of persons having for its purpose and intent, the aiding and assisting of

the British empire in the war between said British empire and the German empire.

Specification Third. In this that on the 13th day of September, 1917, at the County of Rosebud, in the State of Montana and before the trial of three said persons, to-wit, Jas. Childs, Clifton J. Bennett and O. R. Parsons, which said persons were members of the Industrial Workers of the World, and in sympathy with the object and purpose of said organization were confined in the County jail of Rosebud County, State of Montana, within the said District, pending investigation as to the charge of burning or destroying certain railroad property in said county and that during the confinement of said persons in said county jail they broke and violated the rules of conduct for prisoners in said jail and defaced and destroyed said property of the said county of Rosebud and property within the said jail and defaced walls thereof by writing thereon certain propaganda of the Industrial Workers of the World and sentiments antagonistic to the Government of the United States and in revolt against the constitutional authority of the Government of the United States and State of Montana, and that it became and was necessary to discipline each and all of said persons by placing them in isolated cells and removing the furniture, bedding therefrom, except the beds and contents affixed to the walls in said jail and to place each and all of said men on a restricted diet and that on the said thirteenth day of September, 1917, and while said persons were so confined in said County jail of Rosebud County and kept on a diet of bread and water, the said Charles L. Crum without making any investigation or inquiry as to the person or purpose of said confinement in said cell, or for the purpose of ascertaining or determining for what reason said persons were so confined in said cell and placed on restricted diet as aforesaid, did, as such District Judge, without any authority so to do, or making any inquiry therein, make and issue an order directed to the sheriff of said Rosebud County to supply said three persons, to-wit, Jas. Childs, Clifton J. Bennett and O. R. Parsons with certain bed clothes for use in said cell and to supply them with food other than bread and water and did make said order, without first notifying the jailer of said Rosebud County then and there having certain prisoners in charge, and did by said order, without first notifying the jailer, require the said sheriff to violate the rules necessary for the condition of said building and for the protection and preservation of the property of said County of Rosebud.

ARTICLE V.

That the said Charles L. Crum, now is, and at all times herein mentioned was since the first Monday in January, 1913, the duly elected, qualified and acting District Judge of the Fifteenth Judicial District of the State of Montana, and a citizen of the United States, owing allegiance to the said United States; that the said Charles L. Crum, while occupying the official position of Judge of the District Court of the said Judicial District, unmindful of his oath of office, and the high duties of his office and the dignities and properties thereof and in utter disregard of the duties and proprieties thereof and in utter disregard of his duties as a citizen of the United States, was and is guilty of high crimes and misdemeanors and malfeasance in office, which are set forth in the specifications hereinafter written in substance and effect, that is to say:

Specification First: In this that on or about the month of December, 1917, one Felkner Haynes, then County Attorney of Rosebud County in said district, having theretofore been authorized and directed by the United States District Attorney for the District of Montana, to investigate complaints against all persons violating the penal laws of the United States, and particularly all persons expressing pro-German sentiments and sympathy and expressing antagonism to the United States Government in preparing for and prosecuting the war against the German empire and having investigated certain complaints which had been made against one A. J. Just, and against one Ves Hall, charging said Just and Hall with having violated certain penal statutes of the United States, said United States District Attorney being then about to file complaint against said Just and Hall before the United States Commissioner at Forsyth in Rosebud County, Montana, stated to the said Just and Hall that he, the said Felkner Haynes would not file such complaint against said Just and Hall until he was advised to do so by the United States District Attorney, for the District of Montana if they,

the said Just and Hall would promise him, the said Haynes, County Attorney, aforesaid, that they would stay at the Alexander Hotel in said town of Forsyth and would not go to any place where he, the said Haynes could not reach them if the said Haynes was directed by the United States District Attorney to file such complaints, and the said Just and Hall then and there promised and agreed with the said Haynes, that if the said Haynes would not file said complaints at that time, they, the said Just and Hall, would not leave the Alexander Hotel in Forsyth and would not go to any place where he, the said Haynes, could not reach them in case the said Haynes was directed by the United States District Attorney to file such complaints; and that the said Charles L. Crum, Judge as aforesaid, in the said town of Forsyth in Rosebud County, being further advised of, and knowing of the promise and agreement made and given between the said Just and Hall to the said Haynes, did advise, induce and encourage the said Just and Hall to wholly disregard their promise and agreement given to the said Haynes, as County Attorney, and to leave the said town of Forsyth and said Rosebud County and to proceed to the City of Butte, in the County of Silver Bow, State of Montana, where the said Wheeler, United States Attorney that the charges against the said Just and Hall were framed up and were without foundation, law or power.

Specification Second. That at the City of Helena, in the County of Lewis and Clark, in the State of Montana, in an action pending in the United States Court for the District of Montana, in which the Government was prosecuting and in which case the said Ves Hall hereinbefore mentioned was a defendant, the said Charles L. Crum, then and there being in attendance upon said court, as a witness in behalf of the defendant in said cause, wilfully and intentionally violated rules of said court in that he refused to absent himself from the court room in which said cause was being tried, during the trial thereof, otherwise than when he was giving his testimony as witness in said cause, and in violation of the rules of said court, and wilfully and probably intending to violate same as having been directed by the Judge thereof, to absent himself with the other witnesses from the said court room, except when testifying as witness, came into the said court room for the purpose of witnessing the proceedings and the trial of said case, and by reason of his judicial position and his presence, at the trial of said cause, giving assistance and moral support to the defendant then on trial.

Specification Third. In that the said Charles L. Crum sitting as trial Judge, in the District court, in the City of Forsyth, County of Rosebud, State of Montana, and during a session of that court, took occasion to make a speech to the jury, impanelled to try cases during the September, 1917, term, which was wholly irrelevant and foreign to any matters brought before his court upon which he legally could be asked or expected to express an opinion. In such speech, delivered to said jury while said court was in session, ready to carry on any legal work, the said Charles L. Crum made statements and suggestions that were seditious and treasonable, derogatory to the purposes and the reason why the United States was in the war and statements that were untruthful, disrespectful, and critical to the United States, and her allies, that said speech was delivered with a tone or inflection of the voice that showed clearly the malignity on the part of said Crum against the United States, and its participation in the war. He said substantially either directly or by inference that this was a rich man's war, to carry out a rich man's purpose and that it was being intended and carried on to acquire more territory for the British empire, and the acquisition of certain German possessions, to re-claim Alsace Lorraine for the French republic, to obtain certain Austria-Hungarian territory for Italy, and for Japan to forcibly take and possess German territory and interests in the Orient.

Specification Fourth. In that while the said Charles L. Crum was sitting as District Judge of the State of Montana, in the trial of the case of H. B. Rodney vs. the Northwestern Development Co. et al., held at Red Lodge, County of Carbon, State of Montana, in the month of February, 1913, the said Charles L. Crum as presiding Judge, conducting said trial, refused a motion for a non-suit or directed verdict for the defendant against the plaintiff, made by the Defendant's attorney, and that said case was tried and submitted to the jury and a verdict rendered by the jury in favor of the plaintiff, for a certain sum of money. That after the trial of the said case, the said Crum, in discussing it stated to a certain person or persons that while the defendant in said action

was, according to the law and equity of the case entitled to a non-suit or directed verdict, he refused to grant it and did not grant the said motion for a non-suit or directed verdict, he refused to grant it and did not grant the said motion for a non-suit or directed verdict against the plaintiff on motion of the attorneys for the defendant, for the reason that he had been elected District Judge by a small number of votes over the other candidates for that position, and that for his election he was politically obliged to the attorney appearing as counsel for the plaintiff, in the aforementioned action, and that he could not non-suit this attorney's clients or give a directed verdict against them because said case was the first to be tried before the said Crum as District Judge, in which this attorney, to whom he was politically obligated had appeared as counsel; and because of this attorney's political influence, and his support of Judge Crum in his candidacy for a judgeship the said Crum, as District Judge decided in favor of the attorney's clients and against the motion for a non-suit or directed verdict asked for by the defendant through his counsel in the said case. That subsequently when the said Judge Charles L. Crum learned and knew that the case would be appealed to the Supreme Court of the State of Montana, and fearing reversal of his ruling, in denying the action for a non-suit or directed verdict in said case, granted a new trial on the motion of the defendant's counsel.

Specification Fifth. In this, that the said Charles L. Crum has been disloyal and unpatriotic in the remarks made by him concerning the army or armies of the United States and complimentary or praiseworthy in his remarks about the army or armies of the German empire; that upon being informed by Felkner Haynes that the said Haynes had been unable to get into the second officers' training camp, because the application of the said Haynes had miscarried, the said Crum stated that the said Haynes was to be congratulated upon his failure, because had he become a member of the officers' training camp and obtained a commission in the army or become a part of the armed forces of the United States, he would have been sent abroad to fight in the trenches and would have been butchered and killed. That the said Crum told one Klemmey and other persons that England, one of the allies of the United States in the present war would save all of its own men and send the American as she had sent the Canadians to be butchered, slaughtered and made cannon fodder of, in the front line trenches of Flanders and elsewhere. That when the said Felkner Haynes, as County Attorney of Rosebud County, showed leniency toward a young man who was eligible to the draft and who had committed his first infraction of the law, the said Crum criticised him, and question his authority, in not prosecuting the said offender so that he could be made available for the United States army, rather than have the said first offender sent to prison. That the said Crum upon reading of the reports of the allied disaster or misfortune both before and after the declaration of war by the United States would gloat over said disasters and misfortunes and expressed to the community his pleasure therein, and would derive great satisfaction in reading the reports of any German success. That the said Crum looked upon the barbarous conceptions and inventions of the Germans used in carrying on their prosecution of the war such as destructive gasses and liquid fire, as worthy achievements and approved the violation of the rules adopted for civilized warfare between nations of the world and approved the inhuman methods, processes and practices utilized by the Germans in carrying on the war.

ARTICLE VI.

That regardless of his duty as a citizen of the United States and unmindful of the duties of said office in violation of the sacred obligation of his official oath and disregarding the dignity and propriety of his office as Judge of the Fifteenth District of the State of Montana, and of the harmony and courtesies which ought to exist and be maintained by the Judge of said District court of the State of Montana and citizens of the community in which said court is held, and so conduct himself as Judge of said court as to bring said court into disgrace, ridicule, contempt and reproach and to impair and destroy the regard and respect of all good and loyal people of the United States and of the State of Montana for the Judiciary of the said Fifteenth Judicial District, and to excite the odium and resentment of the good and loyal people of the State of Montana against the Judiciary of said district, and did in divers ways and in divers times and places and manners demean and conduct himself as the Judge of said court

in a manner unbecoming of the dignity of his high office, and did counsel as the Judge of said court a disobedience to the Constitution and laws of the United States and to the rules and regulations promulgated by the United States for the purpose of carrying on and prosecuting the war into which the United States has entered against the German empire counseling and advising and abetting a commission of acts, deeds and offenses which were treasonable and disloyal in their nature, and were of such kind and character as to give aid and give comfort to the enemies of the United States in time of war, and the said House of Representatives of the Fifteenth Legislative Assembly of the State of Montana by protestation, saving unto themselves the liberty of exhibiting at any time hereafter any further articles or other accusations or impeachments through itself or through its board of managers against the said Charles L. Crum, Judge of the District Court of the Fifteenth Judicial District of the State of Montana and also the replying to his answers which he shall make unto the articles herein referred to against him and of offering proof of the same and each part thereof and to all and each article, accusation and impeachment which shall be exhibited by them as the case shall require, to demand that said Charles L. Crum may be put to answer the high crimes and misdemeanors, and malfeasances in office, herein charged against him and that such proceedings, examinations, trial, and judgment may be thereupon had and given as may be agreeable to law and justice.

JAMES F. O'CONNOR,
DWIGHT N. MASON,
RONALD HIGGINS,
O. W. BELDEN,
B. C. WHITE,

Board of Managers.

ATTEST:

JAMES F. O'CONNOR,
Speaker of the House.
C. H. TREACY,
Clerk of the House.

Higgins: I move that the House now resolve itself into Committee of the Whole for consideration of the Articles of Impeachment. Motion carried.

GENERAL ORDERS.

McMahon in the chair.

House resumed.

Mr. Speaker in the chair.

Mr. McMahon, chairman of the Committee of the Whole, reports as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration Articles of Impeachment against Judge Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana, respectfully beg leave to report as follows:

The same be amended by striking out in line 28, page 8 the words: "Acting as" after the word "while" and on page eleven line 20 after the word "court" strike out all of the remainder of line 20, and strike out all of lines 21 and 22. Insert the word "and" for the word "or" in line 21, page 18. Strike out in line 7, page 19, the word "safe" and insert in lieu thereof the word "saving" and on page 18, line 26 insert the word "did" for the word "would" and in line 29, page 18, insert the word "did" for the word "would."

And as amended that the Articles of Impeachment be adopted as Articles of Impeachment against Charles L. Crum, and proffered before the Senate of the Fifteenth Legislative Assembly in extraordinary session, and that they be proffered as such.

McMAHON.

Report adopted.

The roll was then called upon the adoption of the Articles of Impeachment, which were adopted by the following vote, and transmitted to the Senate:

Ayes: Anderson, Charles; Anderson, Oscar W.; Arneson, Ashby, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell, Missoula, Buell of Gallatin, Carl, Connolly, Cotter, Crismas, Crowley, Davis, Deimel, Dodds, Eliel, Fishbaugh, Fuller, Gould, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins,

Holt, Huffaker, Hurd, Jensen, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, McDonald, McMahon, McMillan, Mason, Morris, Morrow, O'Brien, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Shaw, Spain, Stimpert, Ward, White, Mr. Speaker. Total, 63.

Upon motion the Chief Clerk was instructed to notify the Senate that the Board of Managers were ready to present the Articles of Impeachment.

McMahon: I move that the House do now recess subject to call of the chair. Motion carried.

Mr. Speaker: We, your Enrolling Committee, report that the following Bills have been delivered to His Excellency, the Governor:

February 23, 1918, at 10:30 P. M. House Bills Nos. 18, 24, 25, and 26.

CROWLEY, Chairman.

Higgins: I move that Mr. A. A. Pelletier be employed to take the preliminary testimony before the House in the Crum impeachment proceedings with compensation as follows:

\$10.00 per day for taking the testimony, 20c per folio for original copy and 5c per folio for each additional copy furnished. Carried.

The Board of Managers in the impeachment of Judge Charles L. Crum, reported having delivered the Articles of Impeachment to the Senate.

Mason: I move that the Speaker appoint a committee of three to notify the Governor that the House has finished its business and was ready to adjourn sine die.

Whereupon the Speaker appointed the following committee: Mason, Higgins and Gould.

McMahon offered the following resolution, which was adopted by the House:

Mr. Speaker: Whereas the House has been advised that our respected colleague, Honorable P. N. Bernard of Flathead has been compelled to forego his duties as a member by reason of illness,

Therefore, Be It Resolved, That the House extend its sympathy to Honorable P. N. Bernard with best wishes for a speedy and complete recovery.

McMAHON.

Adopted.

Special committee from the Senate delivered the following communication to the House:

Whereas, Articles of Impeachment have been exhibited to this Senate, and delivered to the President thereof, charging that Charles L. Crum, Judge of the Fifteenth Judicial District of the State of Montana, has been guilty of high crimes and misdemeanors, and malfeasance in office;

Now Therefore, Resolved That Wednesday, the 20th day of March, 1918, at the hour of twelve o'clock noon of said day of March, 1918, and that the same is hereby fixed as the time, and the bar of this Senate is the place for said accused to appear and answer said Articles; that notice be issued in the name of the "State of Montana" over the signature of the President of the Senate, attested by the Secretary, requiring said accused to appear and answer at said time and place; and that said notice, together with a copy of said Articles be served by the Sergeant-at-Arms or one of his assistants upon the defendant forthwith;

And Be It Further Resolved, That the Senate does hereby consent to and authorize the House of Representatives to adjourn sine die;

And Further Resolved, That the House of Representatives, and the Governor be notified of this action of the Senate.

(Signed) J. F. CONE, Secretary.

MOTIONS AND RESOLUTIONS.

Mr. Speaker: I move you that the House of Representatives consent that the Senate resolve itself into a court of impeachment for the trial of the impeachment charges against Judge Charles L. Crum; that the House of Representatives consent to said recess as the Senate may desire from time to time to take until the conclusion of said trial and that the House consent to the adjournment of the Senate sine die upon such conclusion of such trial.

BELDEN.

Motion carried.

Following resolution was received from the Silver Bow County Bar Association, to the Silver Bow County Bar Association, and to whom it may concern:

We, your committee heretofore appointed to draft and present suitable resolutions concerning the Honorable George M. Bourquin, Judge of the United States District Court of the District of Montana, and the resolution heretofore introduced in the House of Representatives of the Legislative Assembly of the State of Montana, in the extraordinary session of the Fifteenth Legislative Assembly of the State of Montana, respectfully submit the following:

Whereas, It has come to our attention through the public press that there has been introduced in the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, in extraordinary session assembled, a resolution calling upon the Honorable George M. Bourquin, Judge of the United States District Court, District of Montana, to resign from his office, and further asking that the said Honorable George M. Bourquin be transferred from the District of Montana; and

Whereas, From the tender of said resolution it is very apparent that the same casts and tends to cast unreasonable, unwarranted, and unwise reflection upon the honesty, integrity and judicial ability of the Honorable George M. Bourquin, Judge as aforesaid; and

Whereas, From the tenor of said resolution, it is very apparent that the same casts, and the sentiments therein expressed are unwise, unfounded in fact, and of a nature to cause the people of the United States of America to mistrust and disrespect the courts of the United States of America, especially at a time when it is necessary and proper that all good citizens of the United States of America, uphold the dignity, honor and integrity of the courts of the United States of America, and of the Judges duly selected to preside in the said courts; and

Whereas, We, the members of the Silver Bow County Bar association, having long known and lived in the same community with the Honorable Bourquin, Judge as aforesaid, and have had opportunity to acquaint ourselves with his patriotism, honesty, integrity, fearlessness and ability as a Judge and Lawyer; and

Whereas, we know from personal experience that in all of his acts as a Judge he has been at all times actuated by the principles of high integrity, honesty and desire to do justice, and interpret the laws as the same exist; now, therefore, be it

Resolved, By the Silver Bow County Bar Association in special meeting assembled, that we deplore as unwise, untimely, uncalled for and unjust the resolution introduced in the extraordinary session of the Fifteenth Legislative Assembly of the State of Montana in the House of Representatives thereof, by one of the members thereof, asking for the resignation or transfer of the said Honorable George M. Bourquin, Judge of the United States District Court and of the District of Montana; and be it further

Resolved, That we hereby express our utmost faith and confidence in the honesty, integrity, fearlessness and high judicial ability of the Honorable George M. Bourquin, Judge of the District Court of the United States for the District of Montana; and be it further

Resolved, That a copy of these resolutions be transmitted to the Speaker of the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, at Helena, Montana; to the Honorable George M. Bourquin, Judge of the United States District Court for the District of Montana; to the Department of Justice at Washington, D. C., and also to the daily papers of the County of Silver Bow, State of Montana.

Respectfully submitted,

P. E. GEAGAN.
J. O. DAVIS.
JOHN A. SHELTON.
FRED J. FIREMAN.
JOSEPH J. McCAFFERY.
CARL J. CHRISTIAN.
J. G. DENNY.

Speaker appointed committee consisting of Belden, Kehoe and McMahon to notify the Senate of the action taken by the House as to recesses of the Senate while Senate is acting as court of impeachment, also to notify the Senate House has completed its business and are ready to adjourn.

Committee to notify the Governor that the House was ready to adjourn reported having performed its duty and was excused.

Mr. Speaker: I have the honor to advise you that I have this day approved the following House measures: House Bill No. 24, appropriation for mileage and per diem of members of the Fifteenth Assembly; House Bill No. 25, appropriation for incidental expenses of the Fifteenth Assembly; House Bill No. 26, an Act to provide for the expenses for the Government of the State of Montana for the year 1918, levying a tax in excess of the Constitutional limit.

(Signed) S. V. STEWART, Governor.

Belden of the committee to notify the Senate as to the recess and adjournment of that body, and also that the House was ready to adjourn reported having performed his duty and was excused.

Mr. Speaker: Upon notice from the Senate that we have the consent of that Honorable Body to adjourn and our notification to His Excellency the Governor that the House is ready to adjourn having been delivered, I move that the First Extraordinary Session of the Fifteenth Legislative Assembly of the State of Montana do now adjourn sine die.

(Signed) HIGGINS.

Carried.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.



